

**FAIRFIELD DEPARTMENT OF HEALTH
MINUTES
MARCH 13, 2008
Fairfield Medical Center
Lancaster, Ohio 43130
6:00 P.M.**

President Paul Martin called the regular Board of Health meeting to order at 6:00 p.m.
Roll Call was taken.

Roll Call:	Robert Blair – Present	Linda Fersch - Present
	Norm Boyd – Absent	Paul Martin - Present
	Tina Childers – Present	Jim Massey - Absent
	Robert Cottrill – Absent	Dr. Andrew Murry - Present
	Ron Cullums - Absent	Dan Ochs – Present
		Cynthia Pearsall – Present

A quorum was established. The meeting began with the Pledge of Allegiance.

Staff Present: Frank Hirsch, Health Commissioner; Kathie Whitlock, Administrative Assistant; Gwen Shafer, Nursing Director; Pam DeLay, Public Information Officer; Rich Varney, Director of Operations; Steve Deeter, R.S.; Larry Hanna, Environmental Health Director; Diana Uther, R.S.; Jane McGuire, Administrative Services Director and Paulette Tiller, Fiscal Officer.

Others Present: John Nungesser; Dick Oglesbee; Gerald Smith; Richard Deiblie; Ed Augehnstein; Betty Love; George Holsinger; James Justice; Dave Myers, Rushcreek Township Trustee; Chuck Elick, Jr.; Mike Kiger, County Commissioner; Brian Oliver, Richland Township Trustee; Mike Tharp; Williard Burns; Jim Carmichael, Berne Township Trustee; Robert Hedges; Gail Ellinger, Hocking Township Trustee; Larry Goldasich; Rob Williams; Gene Hill; Sue Kisamore; Mike England; Patricia Tharp; Karl Stalter; Jerry Primmer; Russell Jenkins, Becky Kelley, Bruce Kelley; Gerald Smith; Scott Zody, County Administrator; Larry Joos, Greenfield Township Trustee; James Sheets; Dollie Ellinger; Dick & Jane Smith; Chris Hill; Janet Fry; Roger Fry; Sharon Gierhart; Ralph Zollinger, Walnut Township Trustee; Walter Gabriel, Walnut Township Trustee; Kristy Raver; Judy Shupe, County Commissioner; Jon Myers; County Commissioner.

Mr. Martin introduced the new Board of Health Members, Tina Childers and Robert Blair.

Public Comments – County Commissioner Jon Myers addressed the Board. He wanted to clarify that the article in the *Lancaster Eagle-Gazette* referring to the Commissioner's meeting should have, instead, referred to the *Health* Commissioner and not the *County* Commissioners.

Approval of Minutes – Mr. Martin asked for any additions or corrections to the February 14, 2008 meeting minutes. None were noted. **Dan Ochs moved to approve the February 14, 2008 meeting minutes as presented. Cynthia Pearsall seconded the motion. The motion passed by a unanimous voice vote.**

Division Reports

Community Health Development – The written report was submitted and filed appropriately in health department files. Mr. Hirsch highlighted the report. Mrs. Navin attended the Healthy Lifestyle State Summit, and Ohio's Physical Activity plan was presented. Mrs. Navin also participated in "Better Lives, Better Ohio" forum. The National Organization for Youth Safety (NOYS) event is being coordinated. This is the third year for the event which will be held at the fairgrounds.

Administrative Services – The written report was submitted and filed appropriately in health department files. Mrs. McGuire highlighted the report. She asked for approval to hire the temporary clerk for the clinic. **Mr. Martin asked for a motion. Cynthia Pearsall moved to approve hiring Deborah Conway to fill the temporary clerk position at the clinic. Linda Fersch seconded the motion. The motion passed by a unanimous voice vote.**

Resolution 2008-19 – The purpose of Resolution 2008-19 is to adopt fee increases for certified copies of birth and death records issued from the Fairfield County Combined General Health District Board of Health, in accordance with the Ohio Revised Code, Chapter 3705. This is also the public hearing for Resolution 2008-19. Mr. Martin asked for any public comments. None were noted. Mr. Martin read Resolution 2008-19 into the record as the second reading. This fee, if approved, will go into effect January 1, 2009.

Nursing – The written report was submitted and filed appropriately in health department files. Mrs. Shafer highlighted the report.

Resolution 2008-28 – The purpose of Resolution 2008-28 is to increase clinic immunization fees to assure that clinic fees are consistent with similar fees within the community and are cost effective. **Mr. Martin asked for a motion to waive the second and third readings. Dr. Andrew Murry moved to waive the second and third readings. Cynthia Pearsall seconded the motion. The motion passed with a unanimous voice vote.**

Mr. Martin asked for a motion to approve the resolution. Cynthia Pearsall moved to approve Resolution 2008-28. Linda Fersch seconded the motion. The motion passed by a unanimous voice vote. The fee increases reflected in Resolution 2008-28 will go into effect immediately.

Resolution 2008-29 – The purpose of Resolution 2008-29 is to increase clinic immunization fees to assure that clinic fees are cost effective for the 2009 Health Department budget. The fee increases reflected in Resolution 2008-29 will go into effect January 1, 2009. Mr. Martin read Resolution 2008-29 into the record as the **first reading.**

Environmental Review Committee – The written report was submitted and filed appropriately in health department files. Mr. Hanna highlighted the report.

Resolution 2008-21 – The purpose of Resolution 2008-21 is to permit Shirley Gary, [REDACTED], Lancaster, the temporary use of a holding tank as stated in Fairfield County Combined General Health District Regulations 18-15 (C): “A holding tank shall only be permitted as an HSTS under the following conditions when a variance has been granted by the board of health in compliance with rule 18-18 of this Chapter” and to grant an extension for a “Household Sewage Treatment Permit” as stated in FDH Regulations 18-09 (B) 3: “The board of health may extend the permit period for an additional six months for permits issued pursuant to this rule”.

Mr. Martin asked for a motion to suspend the second and third readings of Resolution 2008-21. Dan Ochs moved to suspend the second and third readings. Dr. Andrew Murry seconded the motion. The motion passed by a unanimous voice vote.

Mr. Martin asked for a motion to approve Resolution 2008-21. Cynthia Pearsall moved to approve Resolution 2008-21. Dr. Andrew Murry seconded the motion. The motion passed by a unanimous voice vote.

Resolution 2008-17 – The purpose of Resolution 2008-17 is to increase the fees for “Subdivisions of Land”, “Manufactured Home Parks”, “Campgrounds (RV Parks, Recreational Camps, Combined Park/Camps and Temporary Park/Camps)”, “Private Water Systems” and “Public Pool’s, Spas, and Special Use Pools”. These fees will go into effect on January 1, 2009. This is also the public hearing for Resolution 2008-17. Mr. Martin asked for any public comments. None were noted. Mr. Martin read Resolution 2008-17 into the record as the **second reading.**

Mr. Ochs stated that the Licensing Council would like to see fee increases that are gradual and consistent with cost of living increases instead of the larger, less frequent fee increases reflected in the resolution. The last fee increases for some of the programs was 2002. Others increased in 2004. Discussion ensued.

Mr. Hanna reported that it is time for Food Service Operation License renewals. There are 12 or 13 operations that have not renewed their applications and/or we received checks which were returned for non-sufficient funds. Reminder letters had been sent and were ignored. Discussion ensued. Mr. Hanna will submit another letter informing them that if they do not comply by a specified date they will be referred to the Prosecutor.

It was suggested that the operations who are not complying shall be publicized in the paper. They will be given 10 days to comply.

Approval of Environmental Review Committee Report (ERC) – **Mr. Martin asked for a motion. Dan Ochs moved to approve the ERC report and recommendations as submitted. Cynthia Pearsall seconded the motion. The motion passed by a unanimous voice vote.**

Groundwater Protection Program

Mr. Martin addressed the public and explained the process to be followed regarding the groundwater protection program. Diana Uther gave a slide presentation on home sewage treatment systems, especially failing ones, in Fairfield County. The Board members discussed the presentation and asked questions.

Mr. Martin stated that the board will be discussing two alternative plans. Mr. Hirsch explained Alternative Plan A to the board. He presented two draft resolutions to the board for Plan A. One of the resolutions is to approve the plan and the other resolution is to approve the fee. Plan A is the plan to invoice all 17,000 systems ahead of time for an operational permit. The fee would be \$30.00. Penalty fees would be assessed to owners of systems as follows: \$50.00 for first finding of non-compliance, \$75.00 for second finding of non-compliance and \$100.00 for third finding of non-compliance.

Mr. Hirsch explained Alternative Plan B to the board. Plan B would require mandatory inspections of all systems and inspections would take place one township at a time. Inspections would occur within a three year period. Once a homeowner has received an inspection they would be charged \$45.00. These fees would be reviewed each year along with the action plan and changes would be addressed as needed. The same penalty fees, as in Plan A would also be charged.

Mr. Hirsch stated that the District Advisory Council was presented the proposal at the meeting in March. The DAC members asked about Section 3709.09 of the Ohio Revised Code which appeared to give the DAC members the authority to disapprove fees set by the health department. Mr. Hirsch prepared a letter to legal counsel asking for a written opinion. We have not received a formal written opinion from legal counsel but we did receive a verbal opinion. Roy Hart, Prosecutor, determined that the DAC may disapprove any of the health department fees.

The board members discussed the two plans and asked questions. Mr. Martin asked board members which Plan they would prefer. The majority of the members present preferred Plan B. Plan B will be placed on the website. Plan B would charge homeowners \$45.00 only after their systems have been inspected.

Members of the public who were present were given the opportunity to comment on the proposal. Numerous comments were made, all of which were opposed to the program. Some felt that we should inspect only when we receive complaints.

After public input, Mr. Martin stated that the first reading of the resolution will be postponed. Another hearing would be held next month. The resolution will be worked on and distributed to the Board and public earlier next month. It will also be placed on the Health Department's website.

Director of Operations – The written report was submitted and filed appropriately in health department files. Mr. Varney stated that the Budget Commission meeting is April 7th. The District Advisory Council had met on March 3rd, and approved the budget by a unanimous voice vote.

Financial Report – The written report was submitted and filed appropriately in health department files. We have received 24% of the revenue but spent more than expected for this time of the year.

Resolution 2008-20 – The purpose of Resolution 2008-20 is for a cash transfer in the amount of \$3,000.00 from the District Health fund into the Mobile Home Parks fund.

Resolution 2008-22 – The purpose of Resolution 2008-22 is for the repayment of a cash advance in the amount of \$18,000.00 advanced from the District Health fund into the Public Health Nursing fund.

Resolution 2008-23 – The purpose of Resolution 2008-23 is for a cash advance in the amount of \$3,000.00 from the District Health fund to the Water Systems fund. This advance will be repaid or forgiven by March 13, 2009.

Resolution 2008-24 – The purpose of Resolution 2008-24 is for memo expenses for the Women's Health grant in the amount of \$9, 417.00.

Resolution 2008-25 – Resolution 2008-25 is the annual appropriation resolution.

Mr. Martin asked for a motion. Dan Ochs moved to approve Resolution 2008-20, Resolution 2008-22, Resolution 2008-23 and Resolution 2008-24. Cynthia Pearsall seconded the motion. The motion passed by a unanimous voice vote.

Mr. Martin asked for a motion to approve Resolution 2008-25. Dr. Andrew Murry moved to approve Resolution 2008-25. Cynthia Pearsall seconded the motion. Roll call was taken.

Roll Call: **Robert Blair – Aye**
 Norm Boyd – Absent
 Tina Childers – Aye
 Robert Cottrill – Absent
 Ron Cullums - Absent

Linda Fersch - Aye
Paul Martin - Aye
Jim Massey - Absent
Dr. Andrew Murry - Aye
Dan Ochs – Aye
Cynthia Pearsall – Aye

The motion passed with a unanimous roll call vote.

Approval of Financial Statements – **Mr. Martin asked for a motion. Linda Fersch moved to approve the financial statements as presented. Dan Ochs seconded the motion. The motion passed by a unanimous voice vote.**

Approval of Out-of-County Travel – **Mr. Martin asked for a motion. Linda Fersch moved to approve out-of-county travel as presented. Dr. Andrew Murry seconded the motion. The motion passed by a unanimous voice vote.**

Health Commissioners Report

Personnel Policy Manual – The personnel policy manual revisions are completed. Administrative Services has passed the manual through its committee. It was suggested that a consultant review the policy manual to make sure the wording is legally correct. The quote from the consultant is \$3,325.00. It was recommended that we engage with Clemans, Nelson, & Associates, to review the personnel policy manual. Discussion ensued. Mr. Hirsch will clarify if the consultant will stand behind its review, and their changes, if their opinions are challenged. Once Mr. Hirsch clarifies this the board gave him the authority to sign the contract with Clemans, Nelson & Associates.

Board Orientation – Mrs. Navin has offered to create a board orientation book for the board members. Legislation could be included in the manual. It was suggested that this could be sent electronically.

Board members suggested that the health department website include copies of the Board of Health approved meeting minutes. It was also suggested to invite Barbara Curtiss and Ed Laramie to the next board of health meeting so they could inform the board of the health department budget process.

Kudos' – Mr. Hirsch gave kudos' to Pat Navin for her participation in the Regional Forum "Better Lives/Better Ohio". She received a thank you letter from Jennifer Brunner, Ohio Secretary of State for her participation.

New Business

Election of Officers – **Linda Fersch moved to keep the same officers as last year (Paul Martin as President and Ron Cullums as President Pro Tempore). Dr. Andrew Murry seconded the motion. Dan Ochs moved to close nominations. Cynthia Pearsall seconded the motion. Motion to close nominations passed by a unanimous voice vote. Motion to keep the same officers as last year passed by a unanimous voice vote.**

Executive Session – **Mr. Martin asked for a motion. Cynthia Pearsall moved to convene to Executive Session regarding communication issues with certain personnel. Dr. Andrew Murry seconded the motion.**

