

The Board of the Logan County Health District met in regular session on Wednesday, December 3, 2014. President Spath called the meeting to order at 1:02 p.m. followed by the pledge to the flag. Members present on roll call were Mr. Spath, Mrs. Price, Dr. Varian, Mr. Harrison, Mrs. Watkins, and Mrs. Collins. Staff members present were Health Commissioner Dr. Boyd C. Hoddinott, Administrator Lisa G. Downing, Environmental Health Director Craig D. Kauffman, and Director of Nursing Kay Schroer. Guests included John Clary, Jennifer Wren, and Marciella Ardolino. Reporters Mandy Loehr of the *Bellefontaine Examiner* and *Mike Vektorino of WPKO/WBLL Radio* were also in attendance.

IN THE MATTER OF AGENDA CHANGES

President Spath announced changes to the mailed agenda with no opposition.

IN THE MATTER OF MINUTES

It was moved by Mr. Harrison and seconded by Mrs. Collins that the Board approve the minutes of the November 5, 2014, regular meeting as mailed. Ayes: Dr. Varian, Mrs. Watkins, Mrs. Price, Mrs. Collins, Mr. Harrison. Nays: none. Motion carried.

IN THE MATTER OF MONTHLY BILLS

Noting that vouchers for recurring and time-sensitive bills were submitted to the county auditor on November 7, 14, and 21, it was moved by Mrs. Watkins and seconded by Mrs. Price that the Board confirm the bill vouchers and order the current bills paid. Ayes: Mr. Harrison, Dr. Varian, Mrs. Collins, Mrs. Price, Mrs. Watkins. Nays: none. Motion carried.

IN THE MATTER OF PUBLIC FORUM

No one was present for this portion of the meeting.

IN THE MATTER OF BOARD EDUCATION

Director of Nursing Kay Schroer introduced Marciella Ardolino, billing specialist for Upp Technologies, contractor with the Ohio Department of Health (ODH) for the vaccine billables program. Ms. Ardolino explained vaccine and immunizations billing; cessation of the federal subsidy of vaccines for children with private insurance; and ODH's plan to not provide vaccine for this population beginning in 2015. She also educated the Board on the process of obtaining maximum reimbursement through private insurance companies.

IN THE MATTER OF QUARTERLY IMMUNIZATION FEES ADJUSTMENT

Mrs. Schroer presented the current schedule of adult and private pay (non-VFC or ODH provided) vaccines for quarterly adjustment, including charges for new private-pay vaccines. Following discussion of quarterly adjustments, actual vaccine costs, administration fees, and nurse assessment fees, the Board took the following actions.

It was moved by Dr. Varian and seconded by Mr. Harrison that the Board establish a permanent vaccine fee schedule of actual individual vaccine cost plus 30% (Standard Industry American Academy of Pediatrics), rounded to the nearest dollar, effective January 1, 2015. Ayes Mrs. Collins, Mrs. Price, Mrs. Watkins, Mr. Harrison, Dr. Varian. Nays: none. Motion carried.

It was moved by Dr. Varian and seconded by Mr. Harrison that the Board establish a vaccine administration fee of \$20.00 for all vaccines, effective January 1, 2015. Ayes Mrs. Collins, Mrs. Price, Mrs. Watkins, Mr. Harrison, Dr. Varian. Nays: none. Motion carried.

It was moved by Dr. Varian and seconded by Mr. Harrison that the Board establish a nurse assessment fee of \$20.00 for all nursing encounters, effective January 1, 2015. Ayes Mrs. Collins, Mrs. Price, Mrs. Watkins, Mr. Harrison, Dr. Varian. Nays: none. Motion carried.

IN THE MATTER OF HOME HEALTH FEE SCHEDULE

In preparation for insurance company billings, it was moved by Dr. Varian and seconded by Mr. Harrison that the Board establish a Home Health fee schedule for skilled nursing, physical therapist, occupational therapist, speech therapist, social worker, and home health aide at the rates equal to the Low Utilization Payment Adjustment (LUPA)

as established by the Centers for Medicare and Medicaid Service, rounded to the nearest dollar and effective immediately. Ayes: Mrs. Collins, Mrs. Price, Mrs. Watkins, Mr. Harrison, Dr. Varian. Nays: none. Motion carried.

IN THE MATTER OF NURSING REPORT

The Nursing Director discussed declining chlamydia rates, and participation at numerous health fairs over the last month. She then presented the following statistics for the month of October.

Home Health: 37 patients; 8 admissions; 193 RN visits; 33 HHA visits; 60 PT visits; 29 OT visits; 7 ST visits

Public Health: 2 nursing visits; 10 lead case management; 19 skin tests; 6 BCMH visits/50 contacts; 9 newborn home visits; 1 HIV/Hep C clinic/2 HIV tests/3 Hep C tests

Immunization Program: 85 child clients/89 injections; 39 adult clients/42 injections; 225 flu shots

Women, Infants and Children: 59 new clients; 102 recertifications; 838 total participants

Communicable Disease: 11 confirmed- Gonorrhea (4); Hepatitis C (5); Yersiniosis (1); Ehrlichiosis (1)

Health Education: 4 health fairs/222 participants; 5 staff trainings-meetings/36 attendees; 4 public classes/73 attendees

IN THE MATTER OF NOVEMBER BOARD ORDERS

Environmental Health Director Craig D. Kauffman updated the Board on the status of orders they issued last month as a matter of information.

IN THE MATTER OF PUBLIC HEARING – PROPOSED SEWAGE FEE INCREASES

The scheduled hearing commenced for proposed Sewage Treatment Fund fee increases as required by the Ohio Administrative Code (OAC). No one was present for the required hearing, and Environmental Health Director Craig D. Kauffman stated all licensees had been notified of the hearing by regular U.S. mail.

IN THE MATTER OF AMENDING LCHD REGULATION NO. 26

Mr. Kauffman presented the second reading of new Regulation No. 26 (replacing existing Regulation #26), a new local regulation for sewage necessitated by the new Ohio Administrative Code 3701-29 regulating sewage treatment systems in Ohio, effective January 1, 2015. This regulation covers the sections of OAC 3701-29 that allows and requires approved Boards of Health to set local requirements, processes, and fees. Noting that in order for the new fees included in the regulation to become effective in January, it was moved by Mr. Harrison and seconded by Mrs. Watkins that the Board suspend the three-reading rule and adopt the regulation on an emergency basis, to become effective on January 1, 2015. Vote on roll call: Dr. Varian- aye, Mrs. Collins- aye, Mrs. Price- aye, Mrs. Watkins- aye, Mr. Harrison- aye. Nays: none. Motion carried. It is noted that Chairman Don Spath opposes this legislation.

RESOLUTION 2014-03

LOGAN COUNTY HEALTH DISTRICT REGULATION NO. 26

A REGULATION PROVIDING FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY OF THE CITIZENS OF THE LOGAN COUNTY GENERAL HEALTH DISTRICT

BE IT ENACTED BY THE LOGAN COUNTY GENERAL HEALTH DISTRICT BOARD OF HEALTH, A MAJORITY OF THE MEMBERS CONCURRING:

SECTION 1 DEFINITIONS

All definitions are as contained in Ohio Administrative Code 3701-29-01.

SECTION 2 CHARGE OF ENFORCEMENT

previous twelve (12) months revealed that the system was operating satisfactorily. After the fee is paid and the necessary inspections are completed, a report of the findings of the inspection may be issued.

- C. Unless there is an error by the Board of Health in accepting a sewage system application or issuing a permit, refunds of fees shall be prohibited.
- D. 1. The vertical separation distance and the minimum unsaturated in situ soil within the infiltrative distance shall be 6 inches.
2. Where there is more than 24 inches of in situ soil in the infiltrative distance and with concurrence of the sewage treatment system designer, the hydraulic linear loading rate shall be increased by two (2) gallons per day per foot where the uppermost limiting condition is fractured glacial till.
3. Where there is more than 24 inches of in situ soil in the infiltrative distance and with concurrence of the sewage treatment system designer, the hydraulic linear loading rate shall be increased by three (3) gallons per day per foot where fractured bedrock is the uppermost limiting condition or highly permeable material is present above the limiting condition (not to exceed ten gallons per day per foot).
4. Where there is more than 24 inches of in situ soil in the infiltrative distance and with concurrence of the sewage treatment system designer, the hydraulic linear loading rate shall be increased by three (3) gallons per day per foot where no limiting condition is present within 60 inches of the natural ground surface.
5. The minimum vertical separation distance and the minimum in situ soil thickness within the vertical separation distance is one (1) inch where the seasonal water table is present and the sewage effluent is pretreated to less than one thousand fecal coliform colony forming units per one hundred milliliters.

SECTION 5 SOILS TESTS REQUIRED

- A. Logan County Health District Registered Sanitarians are endorsed to conduct soil evaluations within Logan County, Ohio.

SECTION 6 CLEANING OF SEWAGE OR SEPTIC TANKS

- A. Required Record Submission

As required by Ohio Administrative Code 3701-29-20 (C) as effective on January 1, 2015, septage haulers shall maintain a record and manifest of septage or sewage pumped from each STS including, but not limited to: the system owner; location address; quantity of septage or sewage removed from the system; condition of the tank; presence or absence of baffles or tees; condition of risers; evidence of high water, water intrusion, or tank deterioration; any repairs, replacements or improvements made to the tank; date of septage or sewage removal; and the wastewater treatment plant or other receiving facility where the septage or sewage was disposed, or the location of land application. Pumping and disposal records shall be provided to the Board of Health on a form prescribed by the Director of the Ohio Department of Health and retained by the septage hauler for at least five (5) years. The septage hauler shall provide a receipt to the system owner showing: the date of service; any conditions noted regarding the tank, risers and effluent filters; and quantity of septage and sewage removed from the system.

- B. Additional recordkeeping requirements as outlined in Chapter 40 Code of Federal Regulations Part 503 and authorized by Ohio Administrative Code 3701-29-20 (F) (5) as effective on January 1, 2015 are
- Record of the location of the site where each load of domestic septage is land applied by either street address or by longitude and latitude;
 - Record of the number of acres and a map delineating the location of each acre each time domestic septage is land applied;
 - Record of the date and time of each domestic septage application;

- Record of the nitrogen requirement for the crop or vegetation grown on each land application site each calendar year;
- Record of the expected crop yield for each land application site each calendar year;
- Record of measurements of pH and time prior to land application of each load of domestic septage land applied;
- Record of how the septage hauler has assured that the land owner is following the crop harvesting restrictions and what those restrictions are for each load of domestic septage land applied.

These records are also required to be retained by the septage hauler for a minimum of five (5) years.

SECTION 7 REGISTRATIONS OF SEWAGE SYSTEM INSTALLERS, SERVICE PROVIDERS, AND SEPTAGE HAULERS REQUIRED

- A. Registration of sewage system installers, service providers and septage haulers is required as stated in Ohio Administrative Code 3701-03 as effective on January 1, 2015.
- B. The registration fee and continuing education requirement for service providers is waived for persons servicing only his/her own sewage treatment system.
- C. The registration fee, liability insurance, and surety bond requirement is waived for persons installing a sewage treatment system for his/her private residence.

SECTION 8 MANURE

No person shall place or deposit manure produced by an animal or animals of the horse, mule, sheep, goat, cattle, bison, buffalo, beefalo, llama, canine, feline, poultry, primate kind or any other animal or animals kept in captivity in a street, alley, road, open excavation ditch, stream, or body of water. This Regulation shall not prohibit the spreading of manure on the surface of the ground for fertilizing purposes at any point not prohibited by law.

SECTION 9 PENALTY FOR VIOLATION

Whoever violates Section 3709.20, 3709.21, or 3709.22 of the Revised Code or any order or regulation of the Board of Health of a city or general health district adopted in pursuance of such sections, or interferes with the execution of such an order or regulation by a member of the Board or person authorized by the Board, shall be fined not more than one hundred dollars or imprisoned not more than ninety days, or both. No person shall be imprisoned for the first offense, and the prosecution shall always be for a first offense unless the affidavit upon which the prosecution is instituted contains the allegation that the offense is a subsequent offense. (Ohio Revised Code 3709.99)

SECTION 10 AMENDMENTS

Any of the preceding sections may be amended or a new section may be added by following the necessary procedure in conformity with the Ohio Revised Code.

SECTION 11 CONSTITUTIONALITY CLAUSE

Should any paragraph, sentence, clause or phrase of this Regulation be declared unconstitutional or invalid for any reason, the remainder of the regulation shall not be affected thereby.

APPENDIX: FEES

- (1) An application for a site review of an HSTS, SFOSTS or GWRS. \$75.00
- (2) An application for a soil evaluation for an HSTS, SFOSTS or GWRS. \$75.00

- (3) An application for a design for an HSTS, SFOSTS or GWRS. \$75.00
- (4) Permit for the installation of a new or replacement HSTS and GWRS. \$150.00
- (5) Permit for the alteration of an existing HSTS and GWRS. \$150.00
- (6) Permit for the installation of a new or replacement SFOSTS. \$150.00
- (7) Permit for the alteration of an existing SFOSTS. \$150.00
- (8) Permit for the operation of an HSTS and SFOSTS, which may vary based on the length the permit is valid and/or complexity of the system. \$35.00
- (9) Registration of installers, service providers and septage haulers, which may vary based on category of registration. \$75.00
- (10) Vehicle permits for septage haulers. \$10.00
- (11) Inspection of a GWRS or a STS as authorized in division (A) (7) of section 3718.02 of the Revised Code or for re-inspection to ensure compliance with this chapter as allowed in rule 3701-29-09 of the Administrative Code. \$50.00
- (12) Abandonment of a STS or GWRS. \$0.00
- (13) Application for a variance. \$15.00
- (14) Collection and examination of effluent samples taken to determine compliance with this chapter. Lab Cost plus \$15.00
- (15) A site review, evaluation and approval/disapproval of land application of septage. \$100.00
- (16) Review of a subdivision or lots in accordance with rule 3701-29-08 of the Administrative Code. \$30.00

IN THE MATTER OF NUISANCE ABATEMENT REQUEST

7471 Walnut Street, North Fork Addition, Belle Center

The State of Ohio has been deeded this property formerly owned by Calvin Groeschel, consisting of a gutted manufactured home and associated garbage and debris. This property has been a long standing nuisance and health risk to the neighborhood, and the Board of Health's last order was issued April 3, 2013. As the property was not purchased at Sheriff's sale it was by court order deeded to the State of Ohio, c/o Logan County Treasurer. Board President Don Spath has met with Indian Lake State Park representatives, Treasurer Dara Wren, and Auditor Michael Yoder, and none have funds for demolition. It was moved by Mrs. Price and seconded by Dr. Varian that the property be posted in accordance with Ohio Revised Code 3707.02 issuing a notice to any interested party, including the Treasurer, of a hearing to be held before the Board of Health on January 7, 2015, for anyone to show cause why the Board should not authorize and pay for the abatement of the nuisance and certify the cost as a tax lien. Ayes: Mrs. Collins, Mrs. Watkins, Mr. Harrison, Dr. Varian, Mrs. Price. Nays: none. Motion carried.

IN THE MATTER OF NUISANCE VIOLATIONS

The Environmental Health Director presented the following nuisances in violation of Ohio Revised Code 3707.01 for Board action following citizen complaints and non-compliance with sanitarian orders following investigation.

LATA Inc., 1134 N Main, Bellefontaine [former Holiday Inn], Thakor Maggan, Richmond KY

A complaint was received from Tim Notestine regarding the solid waste left from the demolition of the Holiday Inn on October 15, 2014. A citation was issued to remove the waste prior to December 1, 2014, but little if any progress has been made. Mr. Kauffman recommended an order to remove all waste and debris to a licensed disposal facility within 30 days.

William Andrews, Rushsylvania

Mr. Andrews has property at 513 Cooper Avenue, Bellefontaine with a large pile of old furniture, tires, and solid waste in the driveway and trash piled along the east side of the house. A citation issued November 19, 2014, went unanswered. Mr. Kauffman recommended an order to remove all waste to a licensed disposal facility within three (3) days.

Following review of individual case documents, it was moved by Mrs. Watkins and seconded by Mrs. Collins that pursuant to Ohio Revised Code 3707.01 the conditions at these premises be declared a public nuisance and a hazard to the health and safety of the citizens of the health district; and that *LATA Inc./Thakor Maggan* and *William Andrews* be ordered to abate their individual nuisances as instructed and maintain their property in a sanitary manner in the future; and that the Health Commissioner be directed to issue the orders on behalf of the Board. Ayes: Mr. Harrison, Mrs. Price, Dr. Varian, Mrs. Collins, Mrs. Watkins. Nays: none. Motion carried.

IN THE MATTER OF REQUEST FOR VARIANCE***Mike White, 1317 CR 12, Bellefontaine***

Mr. White requested variance from Ohio Administrative Code 3701-29 to place a temporary residence for his 81 year old mother at this address and connect it to the existing sewage system. Citing precedent, Mr. Kauffman recommended approval. It was moved by Dr. Varian and seconded by Mr. Harrison that the Board grant the variance restricted to inhabitation by his mother only and subject to annual renewal. Ayes: Mrs. Collins, Mrs. Price, Mrs. Watkins, Mr. Harrison, Dr. Varian. Nays: none. Motion carried.

IN THE MATTER OF FINANCIAL REPORT REVIEW

Administrator Lisa G. Downing presented health district financial reports for the month of October. She noted routine expenditures for the period, and a net revenue loss in the Home Health Fund in excess of \$18,000.00. It was moved by Mrs. Price and seconded by Dr. Varian that the Board authorize President Spath to approve review of the reports. Ayes Mrs. Watkins, Mr. Harrison, Mrs. Collins, Dr. Varian, Mrs. Price. Nays: none. Motion carried.

IN THE MATTER OF ROUTINE BOOKKEEPING

It was moved by Mr. Harrison and seconded by Mrs. Watkins that the Board confirm the following bookkeeping transactions necessary to meet routine operating expenses completed by the Administrator during the month of November. Ayes: Dr. Varian, Mrs. Collins, Mrs. Price, Mrs. Watkins, Mr. Harrison. Nays: none. Motion carried.

Transfer of Appropriated Funds

- Sewage Treatment Fund 054
 - \$200.00 FROM 054-400-01020 Salaries TO 054-400-01060 Remit to State
- Public Health Infrastructure Fund 055
 - \$335.48 FROM 055-450-01030 Equipment TO 055-450-01050 Remit to State
- Women, Infants, Children Fund 061
 - \$225.00 FROM 061-010-01072 Education TO 061-010-01160 Health & Life Insurance
 - \$859.24 FROM 061-010-01025 Supplies TO 061-010-01171 Reimburse State
- District Health Fund 063
 - \$100.00 FROM 063-450-01026 SW Supplies TO 053-450-01101 SW Health & Life Insurance
 - \$100.00 FROM 063-450-01000 Other Expenses TO 063-450-01090 Advertising/Printing
 - \$30.00 FROM 063-450-01000 Other Expenses TO 063-450-01033 Burial Permits
- Home Health Fund 066
 - \$2500.00 FROM 066-450-01020 Salaries TO 066-450-01040 Travel Expenses

IN THE MATTER OF CONTRACT APPROVAL – INFECTIOUS WASTE DISPOSAL

Due to an exorbitant proposed rate increase by Stericycle, Inc., it was moved by Mrs. Watkins and seconded by Mrs. Price that the Board enter into a renewable twelve month contract with Accu-Medical Waste Service, Inc. for pick up, transport, treatment and disposal of the health district's infectious waste at the rate of \$42.00 per 30 gallon container. Ayes: Mr. Harrison, Dr. Varian, Mrs. Collins, Mrs. Price, Mrs. Watkins. Nays: none. Motion carried.

IN THE MATTER OF INCREASING VITAL STATISTIC FEES – FINAL READING

The Administrator presented the third and final reading of a \$4.00 local fee increase for certified birth and death record copies. It was moved by Dr. Varian and seconded by Mr. Harrison that the Board adopt the following resolution to become effective January 1, 2015. Roll call vote: Mrs. Collins- aye, Mrs. Price- aye, Mrs. Watkins- aye, Mr. Harrison- aye, Dr. Varian-aye. Nays: none. Motion carried.

RESOLUTION 2014-04

A Resolution amending the local fee set for the issuance of a certified copy of a birth or death record.

BE IT RESOLVED by the Board of the Logan County Health District that the fee for a certified copy of a birth or death record on file with the Board shall be \$26.00. This amount shall include a local fee of \$12.50, and the additional fees collected for each certified copy pursuant to Ohio Revised Code 3705.24 as follows:

- Family Violence Shelters \$1.50
- Child Abuse Prevention \$3.00
- Vital Statistics Improvement \$9.00

IN THE MATTER OF FISCAL YEAR END FUND ENCUMBRANCES

It was moved by Mrs. Watkins and seconded by Mr. Harrison that the Board authorize Ms. Downing to encumber sufficient funds to pay the basic operating expenses of the health district through the fiscal year ending December 31, 2014, in 2015. (See list of encumbrances in Notes to Minutes.) Ayes: Dr. Varian, Mrs. Collins, Mrs. Price, Mr. Harrison, Mrs. Watkins. Nays: none. Motion carried.

IN THE MATTER OF BOARD PRESIDENT COMMENTS

President Spath remarked that the public needs to be educated on the new sewage code, specifically which is a State of Ohio rule that is only enforced by the health district. He also asked members to be thoughtfully considering the election of new Board officers at the next meeting in January.

IN THE MATTER OF HEALTH COMMISSIONER COMMENTS

Health Commissioner Dr. Boyd Hoddinott commended the Environmental Health Director for his work on the sewage code, noting the staff will enforce the new rules in their usual manner of education and gentle persuasion. He then offered comments on the first Strategic Planning meeting held in November as a step toward Accreditation, and thanked member Bob Harrison for his input and attendance.

IN THE MATTER OF ADJOURNMENT

Confirming the next regular meeting for January 7, 2015, at 1:00 p.m., President Spath adjourned the meeting at 2:33 p.m. without opposition.

Don W. Spath, President

Boyd C. Hoddinott, M.D., Secretary