

BOARD OF HEALTH MINUTES

May 5, 2016

The Greene County Board of Health met in regular session Thursday, May 5, 2016, at the Greene County Public Health office. The meeting convened at approximately 6:32 p.m. In attendance: Scott Filson, President; William Beeman, Scott Hammond, Elaine Hughes, June Johnson, Angelia Mickle, Charlene Montague, Andrew Root, Kathy Saunders, Nancy Terwoord and Teresa Zryd (early departure). Excused: Melvin Johnson and Thomas Selden. Staff in attendance: Melissa Branum, Health Commissioner; Shadrick Adams, Dr. R. P. Dillaplain, Medical Director; Robyn Fosnaugh, Jeanette Ghand, Deborah Leopold, Shari Martin, Susan Martin, and Linda Van Tress. Guest in attendance: Garth (Bill) Lawless.

ADOPTION OF AMENDED AGENDA

#16-05-05-2. Ms. Montague moved to adopt the amended agenda. Ms. Terwoord seconded the motion.

The agenda was adopted by acclamation.

MINUTES OF PREVIOUS MEETING

#16-05-05-3. Dr. Zryd moved for the approval of the minutes of the April 7, 2016, Greene County Board of Health meeting. Ms. Terwoord seconded the motion.

The motion carried by acclamation with Dr. Mickle abstaining.

PRESENTATION

Shadrick Adams presented on the Maintenance and Monitoring Program of sewage treatment systems. Ms. Leopold noted to the board that the law requires the board of health to adopt a maintenance and monitoring program. Ms. Leopold asked that the board adopt the staff recommended program as shown under phase four of the presentation. Board member questions were answered satisfactorily. Mr. Filson and Mr. Hammond expressed the need for additional time before adopting the recommended program. Ms. Leopold will have the program placed on the agenda next month.

ENVIRONMENTAL HEALTH

Mrs. Branum noted the information included in the board's packet regarding the request to certify to the auditor \$50.00 to be placed as a lien.

#16-05-05-4. Dr. Mickle moved that the Greene County Board of Health hereby certifies to the Greene County Auditor the amount of \$50.00 be placed on the general tax list and duplicate as a lien as provided by Section 319.281 of the Ohio Revised Code, on the real property listed below for failure to pay household sewage treatment system operation permit or inspection fees as required by Section 3709.091 (C) of the Ohio Revised Code:

Parcel ID Number:	K28000100090009600
Location:	1661 Schnebly Road, Spring Valley Township
Property Owner:	Michael and April Higgins

Mr. Root seconded the motion. The roll call vote was recorded as follows:

William Beeman	Yes	Charlene Montague	Yes
Scott Filson	Yes	Andrew Root	Yes
Scott Hammond	Yes	Kathy Saunders	Yes
Elaine Hughes	Yes	Nancy Terwoord	Yes
June Johnson	Yes	Teresa Zryd	Yes
Angelia Mickle	Yes		

The motion carried.

Mr. Adams reviewed the information on the variance request from the Oho Sewage Treatment System Rules. Mr. Adams noted to the board that the rules do not currently permit holding tanks for residential properties. The health district staff recommends disapproval as approving the request would set precedence and no formal soil evaluation has been done on the property to determine whether or not a conventional system could be installed. Ms. Branum noted that the Ohio Department of Health has recommended to local health districts not be permit the installation of holding tanks.

Mr. Lawless, "Yes, I am the owner of the property in question and I'm the one who submitted the variance request. It is not and has never been and absolutely no plans for it to be residential. Its land we bought 15-16 years ago. Converted it slowly, year by year, to a natural sort of environmental area. I go there almost every day. We have maybe visitors three times in the summer on a Sunday afternoon for a picnic. That's when the holding tank would come into play and the only time. There's no plans ever to have residential; it is simply not residential property. There is no mailbox for example. If that's important. But, when Matt Deaton came out and I had no experience with this, I was expecting that the system would require soil analysis and septic tank installation estimates and so forth. He immediately said, given the size and the room is hardly the size of your table and only a third of that is used as the toilet system. He immediately said, you don't need a soil analysis and I wouldn't think of putting/requiring a septic system, I think you should apply for a variance for a holding tank. I have to emphasize again it is not residential and non-commercial and no plans to change that. What we have now is just a bio-degradable unit. It was purchased in Canada. It is very unfamiliar for most people to use. There is no flushing as he mentioned. No water to the unit. You lift the lid, you open the hole and you use and you walk away. Then the next person in has the same system to work with. It is sometimes messy. It requires a good deal of monitoring. It is a peat moss type of material that the waste goes into. There is a degradation rate to be concerned about and then the disposal of that material afterwards. That we would like to get around. And the holding tank would be about three feet from this small, well built, I don't want to say house, building. It would have gravity flush/flow down from the flushable toilet if it's there, to the holding tank. And the holding tank would be readily accessible to be pumped out if you wanted it to. Water supply would have to be brought from the well that we have down to this little building. That would be part of the cost to put the whole thing in. I was interested in one of the points about homeowner's responsibility and I would be more than willing to take whatever educational program the state might have to service the system holding tank for non-residential/non-commercial. That is apparently not under the strict views of the holding tank letting in/letting out. I don't know. I would be happy to

answer any questions. I would be perfectly willing if you would like sometime to view the property. It is strictly a nature thing. Fifteen acres; probably 12 or so in woods and it is left that way for nature.”

Mrs. Branum, “One thing I would like to point out is I believe that our staff did go out to this site and determined that we could put an onsite system there. Is that correct, Shadrick (Adams)?”

Mr. Adams, “Yeah. I got to make the inspection. It is a beautiful piece of property. There is likely an area where a conventional system could be installed, given the acreage there.”

Mr. Lawless, “A conventional system? I’m not sure what...”

Mr. Adams, “That means that if we, we could put in a flush toilet. A complete septic system with leach field and everything on that property.”

Mr. Lawless, “It could be done. There is no denying that. No. Matt’s immediate response was ‘you don’t need it.’”

Ms. Terwoord, “Who is this Matt?”

Mr. Adams, “Mr. Deaton is a registered soil scientist. He is a person who is required, he is registered with the state and is eligible to do soil evaluations for all septic systems.”

Mr. Lawless, “I talked to Mr. Isaacson about this back in March I guess and he sent me the list. Matt’s name was one of those listed. He just happened to be the nearest one to this area.”

Dr. Mickle, “So the current system, sounds like to me, an outhouse?”

Mr. Lawless, “Well, it is a little more advanced, I guess. You have to monitor the waste product. The bio-degradable material which I have to buy in Canada and that has to be removed at least, roughly, annually. Disposed of, as I mentioned here, off somewhere from human encroachment. It is just an unfamiliar unit for people to use and therefore, it is kind of messy. It is inconvenient and expensive.”

Mr. Adams, “If I may, it’s a bit like a human litter box. However, it is an accepted technology. Proven. It has been around for a number of years.”

Mr. Lawless, “It is very popular in Cape Cod.”

Mr. Adams, “And it is quite green. It is very green.”

Mr. Lawless, “Absolutely. That’s where we got the idea. Our son, we have a son there and it is mandated there in many cases because of water problems. Even vacationing there, it is very unfamiliar to most people.”

Dr. Mickle, “So the current system is working and we didn’t go in and say he to change it?”

Mr. Adams, "We did not."

Dr. Mickle, "And he is asking to change it? But he wants to change it to something that's not, we feel is not viable? Am I understanding this whole thing right?"

Mr. Adams, "That would be the health departments whole thing, yes."

Ms. Hughes, "Not viable but the state doesn't want them put in."

Mr. Lawless, "Yes, I want to replace the bio-degradable unit, the maintenance and expense and the inconvenience and unfamiliarity with it, with a normal flushable toilet which would be about 15-20 feet from the holding tank."

Dr. Mickle, "But the holding tank is the problem. We want a sewage system."

Mr. Lawless, "Matt recommended a 2000 or 1500 gallon holding tank capacity. Given we pump out annually or more or less depending on use. But it would also have a monitoring system on it as I understand it."

Ms. Hughes, "I'm not familiar with where this is. I think I maybe know but, where are the closest residential, where is the closest residential area to this piece of property?"

Mr. Lawless, "We're on Centerville Road about three driveways from Penewit, if that helps. There is a residence on both sides. The nearest one, both are about a good 100 or more feet away. And that's, our property line would be about 100 feet from this house I am talking about and about another 100 feet to the residence nearby, the neighbors."

Ms. Hughes, "So there is just sporadic residences. But there is not a big residential area close?"

Mr. Lawless, "Not at all."

Ms. Hughes, "Yet."

Mr. Lawless, "I was reminded earlier by your comment about Erma Bombeck. She wrote a book about the grass is always greener over the septic system."

Mr. Root, "What is the cost difference? Roughly speaking between the system that Mr. Lawless wants to put in and a regular septic system with a leach field?"

Mr. Lawless, "Quite a bit according to Matt. Matt didn't give figures. That wasn't his business but one of the points was simply economics. The system that I am asking for would far more economically viable than putting in a whole big unit. And a whole unit, the tank, the field and so forth for the infrequency of use is overkill. We probably wouldn't do it at all."

Mr. Adams, "New systems, conventional systems, we say cost between \$5000 and \$7000. A holding tank, the tank itself is around \$1500 plus the labor to dig the hole. This might be a good point for me to also point out to the board that should the body decide to approve it, the law does

provide for some other things that have to be met. One of those expenses is that the water supplying the toilets has to be potable water.”

Mr. Hammond, “That’s where I am getting a little caught up because I saw the condition on the back. I read the well log. I’ve drilled some wells. It looks to me like it is just a matter of semantics on the part of this driller who said, probably when he drilled the well there was no plan to put a residence there. He wrote down ag/irrigation. It looks to me like the construction of the well would be just fine for residential.”

Mr. Adams, “It could be except where it leaves the pit less adapter into the house would be a whole new system. It would have to now meet code.”

Mr. Hammond, “But it doesn’t need a new well.”

Mr. Adams, “The hole itself will probably work and the casing. Yes, sir.”

Mr. Hammond, “Because that is thousands of dollars there again. I would have a little bit of problem approving this and then putting the cost of that, if that was going to include a whole new well. I would have a problem with that.”

Mr. Adams, “There is a process for ag to potable water conversion, yes, and it is a relatively simple thing. As far as paperwork.”

Mr. Lawless, “I’m not sure I quite understand. The well we had put in was put in a few years ago. I didn’t know, when you said agriculture use only...”

Mr. Hammond, “Sometimes the driller will just, if the person tells him why you are drilling the well, they just write down residential or we’re just going to use this to...”

Dr. Mickle, “Water flows.”

Mr. Hammond, “But it looks to me like it was drilled with all the, up to the standards of the time, and it’s got a strain and it’s 80 something feet deep, there’s a fair amount of clay above it, and it’s got a pit less adapter, which is basically about everything you need for a residential well. I assume that it would probably pass the tests. I don’t know.”

Mr. Adams, “We would need to evaluate the pressure tank. There is certain components in line that would have to be installed including a pressure relief valve. Some newer things were adopted in 2011 and then we would have to perform a bacteriological test to make certain that the water was, in fact, potable.”

Mr. Lawless, “

Mr. Adams, “What I’m saying is according to the letter of the law, if the board of health were to approve your variance request, they would still require you by the letter of the law to convert that

well into a drinking water well. So it would have to meet a few more rules than is ordinarily associated with an ag well.”

Dr. Mickle, “One more thing about finances, so I feel like that there was about \$2500 or \$3500 difference between getting something versus the holding tank. But he is saying what he is doing currently is super, is expensive so over time wouldn’t that cost trade off if you stopped doing what you’re doing?”

Mr. Lawless, “When I say expensive, the bio-degradable material has to be purchased from Canada in a large quantity that is delivered to your front door. The old has to be disposed of. It is, I don’t recall the cost of the shipping charges as well. Then there is, of course, considerable manual involvement of getting the whole thing together again. We didn’t discuss prices. Matt didn’t say anything at all about cost for the holding tanks. That would be my next step, of course, to get estimates. Whether or not we want to do it would depend on how much the whole thing would cost. But if we don’t go with the holding tank or we can’t, it is unlikely that we will make any change at all.”

Mr. Root, “Would the county approve a port-a-john? If you wanted to that, as long as it was cleaned? Nobody wants that.”

Mr. Lawless, “I had a port-a-john.”

Ms. Leopold, “It depends on the zoning regulations for that particular area because we would not be the ones that would be regulating portable units out there on the site.”

Ms. Montague, “Did the port-a-john work? When you had that?”

Mr. Lawless, “Well, it did. But, inside...”

Ms. Terwoord, “Have you looked at anything, I know that there are these toilets that you can put on boats that are; they look like a toilet. They are esthetic pleasing. I get this magazine “Cabin Life” because we have a cabin in Tennessee and they look like a toilet. You don’t need peat moss. I’m not quite sure what you do.”

Ms. Leopold, “It’s a holding tank on a boat and when they get into port they go ahead and empty the holding tank.”

Ms. Terwoord, “I think there are other models. I’ve seen these advertised to put on a pontoon boat.”

Mr. Hammond, “Incineration?”

Ms. Terwoord, “It looks like it flushes but I don’t know where it goes. I’ve seen it on pontoon boats. I think it must be like a five gallon bucket that you have to put some kind of water in it and then flush it way. Then at the end of that boat trip, you are going to empty it somewhere.”

Ms. Leopold, "It's a holding tank."

Mr. Lawless, "It is a portable holding tank."

Mr. Adams, "The most common option for marine toilets are holding tank one. The other two options are the system he currently has which is a composting toilet or as Mr. Hammond mentioned an incinerator toilet where the waste is actually burnt and then the ashes are (unintelligible) every once in a while."

Ms. Hughes, "I have a question. This looks like a beautiful piece of property. I don't know whether you've made some kind of plans for its perpetuity but if there is a house on either side and front and back and all of that, how soon is it going to be that somebody wants this property to build a residence on? And, if we have a holding tank on the property what is that going to do? I don't know whether you are planning to keep it forever."

Mr. Lawless, "Well, forever, I'm 82. I always assumed that if someone ever wanted to build a house, it would be an entirely different situation. A holding tank would be almost... "

Dr. Zryd, "Does that start it all over again?"

Ms. Leopold, "No. The board will have an approved septic system on that property."

Mr. Hammond, "When you do the sale of a house don't you have to have it inspected?"

Ms. Leopold, "If something would happen to him that he would go ahead and sell that property, then next owner that comes on, there is an approved septic system."

Ms. Hughes, "Even though it is a holding tank, right?"

Ms. Leopold, "Correct."

Mr. Hammond, "But, it's approved for a certain, we are approving it for a certain frequency and ..."

Mr. Filson, "Well, I don't think we are putting conditions."

Dr. Zryd, "We're not putting conditions on that."

Mr. Hammond, "Well, there are a bunch of conditions on the back here."

Mr. Root, "Yes, there are."

Mr. Hammond, "A bunch and they are sort of vague I think."

Ms. Leopold, "And that is because of the requirements that the board can set in regards to, when we were discussing this in-house, we wanted to make sure that the board understood is that there

are all of these unknowns out there. So we were putting those conditions before you for your consideration, so that you as the board members can go ahead and think about all of those parameters that we are outlining. Some of them are truly in Ohio Revised Code; that says you must do this, this and this. But, again, it's the unknown. If Mr. Lawless would happen to sell the property, you as a board of health, if you approve the variance have approved the septic system that is on that lot."

Mr. Hammond, "Couldn't we put in the conditions that we approve this holding tank as long as the land use to here doesn't change and there is no... I mean can't we put a condition on."

Mr. Lawless, "That would be perfectly acceptable."

Ms. Leopold, "For him. I'm going to go one step further. He doesn't do anything and he sells the property and land use now since this is a beautiful country lot that I am now going to allow people to come and hold weddings at my facilities. Because that is the newest thing that we are getting out in some of the townships. He has an approved septic system which is a holding tank and now it goes from him using it one or three times a year with limited numbers of people to hosting weddings. I am going to some extremes and I do understand that but that is how you have the changes of properties over the course of time. Because that is what we are seeing. People become very creative with what they want to do with their properties. The board of health has heard that with residences going to bed and breakfasts. They have heard a variety of things that the citizens want to do with their properties and for most times they don't come back and go is it big enough for me to do something with. They feel that they have something out there and they take advantage of what they have until an issue, a public health issue, occurs. And then we have to go and get it straightened out."

Mr. Hammond, "Couldn't we put an iron clad condition in there that says as long as this stays as a weekend fishing thing for family but thou shalt not have..."

Ms. Leopold, "Who is going to monitor that?"

Mr. Hammond, "I don't know but ..."

Mrs. Branum, "I will tell you I have dealt with many holding tanks and I have seen people bust holes in the sides of them. The sewage is leaking out onto the ground. It is a problem all over the state and I would strongly recommend that you not do this."

Mr. Hammond, "I'm not saying I'm a fan of holding tanks. I'm just trying to figure out a way that the property could be used."

Mr. Lawless, "In some there are some that don't have holes in them?"

Mrs. Branum, "I have."

Mr. Root, "It is below ground. It's buried but it just doesn't leach out like a normal."

Mrs. Branum, "And depending on the volume of the people that are there I have seen them overflowing. I have seen people not get them pumped out. We are constantly chasing them with nuisance conditions. So, yes, I have seen it happen. I mean, I have seen sewage on the ground from these things and children playing in the area. So it can be disgusting."

Mr. Lawless, "But, again, I would ask if the majority you've seen worked proper. Is that true?"

Mrs. Branum, "Not by the time I get called out. No."

Mr. Lawless, "You don't get called out to many of them?"

Mrs. Branum, "I have before, yes."

Mr. Lawless, "Some you don't get called out to."

Mrs. Branum, "Correct. Sure."

Mr. Adams, "One of the other problems that come from a holding tank is that the toilet will continue to flush. So from the interior, if you are not regularly keeping an eye on that tank, you won't even know you have a problem for weeks or months because the gravity, it will just spill out the top and run over the hill. So, there are certain restrictions where alarms can be added and that sort of thing. But by they point we are pushing up the cost."

Mr. Lawless, "You mean that there is a failure in the toilet itself?"

Mr. Adams, "No, I'm saying that if the tank were not to be maintained properly, and it filled up, it would spill out of the lids and you could still continue to use the plumbing on the inside."

Mr. Lawless, "But in your monitoring system that you were talking about wouldn't you find this out?"

Mr. Adams, "After 10 years."

Mr. Lawless, "You don't get any annual reports from the owner?"

Mr. Adams, "If they were pumping, there would be a pumping report if it were being pumped and if the pumper were turning that report in and what he reports is somewhat limited."

Mr. Lawless, "Can you correlate the pumping reports versus the number that should be sending them in?"

Mr. Adams, "No. Not yet."

Mr. Filson, "Okay, well, if we don't have any more discussions then we will look for a motion to approve or not approve the variance request before the board. And staff does recommend disapproval."

#16-05-05-5. Ms. Terwoord moved disapproval of the variance request from the Ohio Sewage Treatment System Rules for the property located at 872 Timberlake Court, Dayton. Ms. Hughes seconded the motion. The roll call vote was recorded as follows:

William Beeman	Yes	Charlene Montague	Yes
Scott Filson	Yes	Andrew Root	Yes
Scott Hammond	Yes	Kathy Saunders	Yes
Elaine Hughes	Yes	Nancy Terwoord	Yes
June Johnson	Yes	Teresa Zryd	Yes
Angelia Mickle	Yes		

The motion carried.

Mr. Filson, "Mr. Lawless, thank you for coming to our meeting and explaining everything. I'm sorry we can't approve your variance request tonight but we take staff recommendation."

FINANCIAL REPORTS

Ms. Ghand provided highlighted items from the voucher (bill) summary, appropriation transfers and the April Income and Expenditure Report and answered Board member questions satisfactorily.

Mrs. Branum noted that due to the delay in grant payments from ODH, going forward the health district will be requesting monthly instead of quarterly reimbursement.

Mrs. Branum reported that beginning in July the health district will be doing its own fiscal reporting for Help Me Grow.

Ms. Branum noted the increase in clinic revenues. Ms. Ghand stated that the health district is receiving a lot more money from billing. Ms. Ghand noted that clinic revenue is currently up approximately \$12,000 and is expected to continue increase and licenses and fees revenue is up \$82,000.00.

#16-05-05-1. Mr. Beeman moved to approve the bill summary, appropriation transfer(s), between meeting appropriation transfer(s), budget adjustments, advances, fund transfer(s) and the April Income and Expenditure Report. Ms. Hughes seconded the motion.

The motion carried by acclamation.

HEALTH COMMISSIONER'S REPORT

Mrs. Branum highlighted items from the Health Commissioner's Report and answered board member questions satisfactorily.

Ms. Fosnaugh presented the billing quality improvement project results and answered board member questions satisfactorily. Dr. Dillaplain provided comment on the results of quality improvement and made suggestions for inclusion in the improvement plan. Ms. Terwoord suggested contacting Kettering Central Billing to provide assistance with training on billing.

Mr. Root asked how audits didn't catch some of the issues. Mrs. Branum stated that audits only catch about 3% of issues.

COMMITTEE REPORTS

Administrative Evaluation Committee – Mr. Beeman reported that the committee will meet and report back to the board at the next meeting regarding the health commissioner's evaluation.

Finance/Audit Committee – No report.

Personnel Committee – Mr. Filson noted that the policies were addressed earlier and the committee will need to meet soon to review those policies.

Planning and Evaluation Committee – No Report.

PERSONNEL

No Personnel.

EXECUTIVE SESSION

No Executive Session.

OLD BUSINESS

Mrs. Branum reviewed the Community Health Improvement Plan update and asked for approval.

#16-05-05-6. Ms. Hughes moved to approve the updated Community Health Improvement Plan. Ms. Saunders seconded the motion.

The motion carried by acclamation.

Mr. Root reported on behalf of the Greene Community Health Foundation regarding the bylaw update and noted that next month the foundation will bring a slate of community members for possible appointment to the foundation board.

#16-05-05-7. Mr. Root moved for approval of the updated Greene Community Health Foundation Bylaws on behalf of the foundation. Ms. Hughes seconded the motion.

William Beeman	Yes	Angelia Mickle	Yes
Scott Filson	Yes	Charlene Montague	Yes
Scott Hammond	Yes	Andrew Root	Yes
Elaine Hughes	Yes	Kathy Saunders	Yes
June Johnson	Yes	Nancy Terwoord	Yes

The motion carried.

#16-05-05-8. Dr. Mickle moved to approve the appointment of the following foundation board members:

William Beeman	Charlene Montague
Scott Filson	Nancy Terwoord
June Johnson	



Mr. Root seconded the motion.

The motion carried by acclamation.

#16-05-05-9. Ms. Terwoord moved to approve the health commissioner to sign the ground lease with the Greene County Commissioners for the health district's current property. Ms. Hughes seconded the motion.

The motion carried by acclamation.

NEW BUSINESS

#16-05-05-10. Mr. Hammond moved to approve the Workforce Development Plan. Mr. Beeman seconded the motion.

The motion carried by acclamation.

#16-05-05-11. Mr. Beeman moved to waive the current and delinquent taxes on the following properties:

M40000200070001200	North Columbus Street, Xenia
M40000200070001600	North Columbus Street, Xenia
M40000200110006400	East Main Street, Xenia

Ms. Terwoord seconded the motion.

The motion carried by acclamation.

Mrs. Branum noted to the board that the health district policy is charge 10% above the Medicaid reimbursement rate is \$66.00.

#16-05-05-12. Ms. Terwoord moved to approve the increase in the Depo-Provera fee to \$73.00. Ms. Hughes seconded the motion.

The motion carried by acclamation.

Mrs. Branum noted the issuance of the New Access Point grant about two weeks ago and Ms. Fosnaugh will be spearheading the project on behalf of the health district. Ms. Fosnaugh provided history on Five Rivers Health Centers and stated that the first step is to get a letter of support.

#16-05-05-13. Ms. Terwoord moved to approve a letter of support for Five Rivers Health Centers New Access Point application for a federally qualified health center. Mr. Hammond seconded the motion.

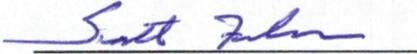
The motion carried by acclamation.

ADDITIONAL BUSINESS

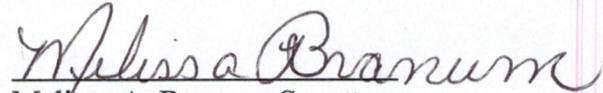
Mr. Filson noted the inclusion of the email from Scientifica regarding the publication of "International Air Travel to Ohio, USA, and the Impact on Malaria, Influenza and Hepatitis A".

Mr. Filson noted the distribution of the National Association of Local Boards of Health (NALBOH) NewsBrief.

The May 5, 2016, Board of Health meeting was adjourned at 8:30 p.m.



Scott Filson, President



Melissa A. Branum, Secretary