



The Board of the Logan County Health District (LCHD) met in regular session Wednesday, December 14, 2022. President Harrison called the meeting to order at 1:03 p.m. followed by the pledge to the flag. Members present on roll call were Mr. Harrison, Dr. Varian, and Mrs. Collins. Administration present at the LCHD were Health Commissioner Travis Irvan, Director of Environmental Health Timothy M. Smith, Director of Nursing Kelly Reaver, Director of Community Health Megan Bailey, and Director of Business Operations Christina Bramlage. The guest present was reporter Mandy Loehr of the *Bellefontaine Examiner*.

#### **IN THE MATTER OF CONSENT AGENDA**

The items on the consent agenda this month are

- November's Board minutes;
- monthly bill vouchers;
- October's financial reports;
- routine bookkeeping matters;
- Health Commissioner Travis Irvan's travel request to attend the NACCHO Annual Conference on July 10-13, 2023, in Denver, Colorado and a LCHD representative to attend the 2023 NACCHO Preparedness Summit held in Atlanta, GA;
- Jesse Daniel's resignation effective November 21, 2022; and
- Megan Bailey promoted to Director of Community Health effective 12/12/2022.

It was moved by Dr. Varian and seconded by Mrs. Collins that the Board approves all consent agenda items. Ayes: Mr. Harrison, Mrs. Collins, and Dr. Varian. Nays: none. Motion carried. (See Notes to Minutes for details.)

#### **IN THE MATTER OF INTRODUCTION OF NEW STAFF**

There are no new employees to introduce.

#### **IN THE MATTER OF PUBLIC FORUM**

No one was present for the public forum.

#### **IN THE MATTER OF ENVIRONMENTAL HEALTH UPDATE**

The Food Survey by ODH was satisfactorily completed. The LCHD Lab also passed its annual Proficiency Testing.

#### **IN THE MATTER OF NUISANCE UPDATES FROM PREVIOUS BOARD MEETING**

##### ***James Gilliam, 211 E. Main Street, Belle Center***

Mr. Gilliam is the new owner of the property, which was inspected on August 4, 2022, by Amanda Harshfield, EHSIT. Mrs. Harshfield observed the house and back porch roofs with several large holes in them, gutters and siding falling off, a garage with a caved-in roof, and an overgrowth of vegetation that limits access to the front porch. On August 31, 2022, a 30-day Environmental Order was issued. A follow-up inspection revealed no further improvement. A thirty (30) day Board of Health order was issued and mailed on October 12, 2022. The return receipt card was received as signed on October 21, 2022. A final re-inspection is scheduled for November 21, 2022. A re-inspection by Harshfield on November 30, 2022, revealed that the back porch had been removed but the caved-in garage and damaged house roof and gutters had not been corrected. The violation of the Board of Health order was therefore filed on the same day with the Bellefontaine Municipal Court.

##### ***Toni Lee Henry, 506 W. Columbus Street, Kenton***

Mr. Henry is the new owner of the property at 6081 St. Rt. 274, Huntsville, which was inspected on May 3, 2022, by Amanda Harshfield, EHSIT, who observed a vacant house with broken out windows and an open hole on the side where a chimney for a wood burner was removed. On June 9, 2022, an Environmental Order was issued to repair the house to a habitable condition or remove it by the end of 2022. A follow-up inspection on November 2, 2022, revealed no windows had been replaced. Also, new solid wastes in the form of scrap tires outside of the barns and an accumulation of parted-out junk vehicles have since been added to the property. On November 9, 2022, the Board of Health issued a 30-day order to correct the violation by repairing or having a signed contract to repair, the home into

an inhabitable condition and remove all solid wastes to a licensed disposal facility, The proof of receipt card of the certified letter has not yet been returned.

***Robert Gilroy (deceased), last known owner of an open and dilapidated manufactured home at 11400 Pocahontas Path and a caved-in house at 11393 Blackhawk Drive, both in Chippewa Park, Lakeview***

The Stokes Township trustees are requesting that the structures be condemned by the Logan County Board of Health so that township funding may be used to have them razed. Pictures of the open and damaged structures were taken to document their condition allowing Health Commissioner Travis Irvan to approve placarding both structures on November 7, 2022, but now the Board is requested to provide their concurrence. On November 9, 2022, the Board of Health agreed with the Health Commissioner's earlier condemnation order and issued a 30-day order to correct the violation by repairing or having a signed contract to repair, the homes into inhabitable conditions and remove all solid wastes to a licensed disposal facility. The proof of receipt card of the certified letter was returned on November 18, 2022, by the postal service and was marked as "Return to sender, no mail receptacle, unable to forward." Therefore, no further action can be taken by the health district.

**IN THE MATTER OF NEW NUISANCES**

***Adriana Russell, 685 W. Center Street, West Mansfield***

Ms. Russell is the owner of the property which was inspected on October 17, 2022, by Amanda Harshfield, EHSIT. Mrs. Harshfield observed solid wastes outside the manufactured home and especially behind a shed in and around a large, open trash receptacle. On November 1, 2022, the Village of West Mansfield was contacted, and their office reported that the occupants had moved in December 2020, but the water could not be turned on at that time due to leaks under the home. Reportedly, the home has continued to be lived in since without water service. The County Treasurer's Office was also contacted to report the amount of back taxes observed on the Auditor's website. A 14-day Environmental Order was issued. On November 21, 2022, the West Mansfield Utility Office was called, and they reported that no contact had been made with them concerning the property. Mrs. Harshfield conducted a site revisit and took pictures of the continuing nuisance condition. It was moved by Dr. Varian and seconded by Mrs. Collins to declare that the condition constitutes a public health nuisance and issue an order to correct it by properly connecting to city water, removing all solid wastes to a licensed disposal facility, and providing a copy of a signed contract for regular trash removal service within seven (7) days of receipt of the order. Ayes: Mr. Harrison, Mrs. Collins, and Dr. Varian. Nays: none. Motion carried.

**IN THE MATTER OF NEW VARIANCES**

***Don Detrick, 8110 Indian Drive, Russells Point***

Mr. Detrick had an existing point well located under the house that ran dry and had to drill an emergency replacement well. As part of properly obtaining the well permit, he requested variances to OAC 3701-28-07 (D) which states in part that, "... A well, ... shall not be located within ten (10) feet of the foundation of a building or dwelling..." and OAC 3701-28-07 (G) which states in part, "A water source shall be located at least ten (10) feet from the established road right-of-way..." and OAC 3701-28-07 (J) (1) which states in part that "... A water source shall be located according to the following minimum isolation distances listed in Table 1, ... lot lines and easements – ten (10) feet isolation distance," whereas only nine feet five inches (9' 5"), three feet four inches (3' 4") and three feet four inches (3' 4") exist respectively. It was moved by Mrs. Collins and seconded by Dr. Varian to grant the variance because no other location is available due to the small lot size, yet the new well is far enough from the sewer line. The new well will also be inside a fenced area. Ayes: Mr. Harrison, Dr. Varian, and Mrs. Collins. Nays: none. Motion carried.

***Mark and Yvette Fetterly, 11121 East Drive, Avondale, Lakeview***

Mr. and Mrs. Fetterly owned a shared well that collapsed after a well driller attempted to clean it out to free up a failed submersible well pump that was stuck and had to drill an emergency replacement well. As part of properly obtaining the well permit, they also requested variances to OAC 3701-28-07 (H) which states in part that, "... A water source shall be located at least five (5) feet from the edge of any private driveway or parking lot." and OAC 3701-28-07 (J) (1) which states in part that "... A water source shall be located according to the following minimum isolation distances listed in Table 1, ... lot lines and easements – ten (10) feet isolation distance," whereas only no (0) feet and two (2) feet exist respectively. It was moved by Mrs. Collins and seconded by Dr. Varian to grant the variance with well protection from vehicle damage requirement because no other location is available due to the small lot sizes and large houses. Ayes: Mr. Harrison, Dr. Varian, and Mrs. Collins. Nays: none. Motion carried.

***Andy Hakes, 11115 East Drive, Avondale, Lakeview***

Mr. Hakes's property was serviced by a shared well that collapsed after a well driller attempted to clean it out to free up a failed submersible well pump that was stuck, had to drill an emergency replacement well for his home and to be shared with his neighbor at 11109 East Drive, Lakeview. As part of properly obtaining the well permit, he also requested variances to OAC 3701-28-07 (H) which states in part that, "... A water source shall be located at least five (5) feet from the edge of any private driveway or parking lot." and OAC 3701-28-07 (J) (1) which states in part that "... A water source shall be located according to the following minimum isolation distances listed in Table 1, ... lot lines and easements – ten (10) feet isolation distance," whereas only three feet six inches (3' 6") and seven feet seven inches (7' 7") exist respectively. It was moved by Dr. Varian and seconded by Mrs. Collins to grant the variance after ensuring that the water lines are sleeved because no other location is available except for this property also owned across the road due to the small lot size and large house. Ayes: Mr. Harrison, Mrs. Collins, and Dr. Varian. Nays: none. Motion carried.

***Nicholas Richardson, 2779 SR 274 W, Huntsville, who owns property at 11133 East Drive, Avondale, Lakeview***

Mr. Richardson's property was serviced by a shared well that collapsed after a well driller attempted to clean it out to free up a failed submersible well pump that was stuck and had to drill an emergency replacement well for his home and to be shared with his neighbor at 11127 East Drive, Lakeview. As part of properly obtaining the well permit, he also requested variances to OAC 3701-28-07 (D) which states in part that, "... A well, ... shall not be located within ten (10) feet of the foundation of a building or dwelling..." and OAC 3701-28-07 (H) which states in part that, "... A water source shall be located at least five (5) feet from the edge of any private driveway or parking lot" and OAC 3701-28-07 (G) which states in part, "A water source shall be located at least ten (10) feet from the established road right-of-way..." and OAC 3701-28-07 (J) (1) which states in part that "... A water source shall be located according to the following minimum isolation distances listed in Table 1, ... lot lines and easements – ten (10) feet isolation distance," whereas only seven feet (7'), eight feet (8'), two feet four inches (2' 4") and four feet (4') exist respectively. It was moved by Mrs. Collins and seconded by Dr. Varian to approve the variance with well protection from vehicle damage requirement because no other location is available due to the small lot sizes and no other logical location is available. Ayes: Mr. Harrison, Dr. Varian, and Mrs. Collins. Nays: none. Motion carried.

**IN THE MATTER OF FOOD FACILITY UPDATE FROM PREVIOUS BOARD MEETING**

***Abneet Singh, statutory agent for license holder GNC Petroleum, Inc, 125 Sandusky Street North, Rushsylvania***

Mr. Singh is now in compliance by having properly installed a new grease interceptor by permit so the retail food license was returned allowing the operator to resume selling food.

**IN THE MATTER OF FOOD FACILITY**

***Gustavo Ramirez Enterprises, Inc., license holder for La Palma Bar and Grill, 2201 South Main Street, Bellefontaine***

La Palma Bar and Grill has been cited numerous times in the past by Environmental Health Specialist in Training (EHSIT) Jennifer Mitchell, for uncleanliness and pest infestation violations. Another complaint was received recently of a cockroach observed on their table in the dining area by a patron. Although a pest control contract with a Certified Pest Control Operator has been obtained and past cleanliness issues have improved, the reoccurring complaints and cited violations show an ongoing failure to provide a consistently clean and pest-free food service.

It was moved by Mrs. Collins and seconded by Dr. Varian to issue an order to the owner to create and provide to the Board of Health a written action plan that includes dates of completion of specific goals that will correct the causes of the reoccurring violations within fourteen (14) days of the receipt of the order (and one inspection from the Health District must be completed before the January Board meeting), or appear before the Board of Health at the next regularly scheduled meeting following the compliance date for a license suspension hearing if compliance with the order is not attained. Ayes: Mr. Harrison, Dr. Varian, and Mrs. Collins. Nays: none. Motion carried.

**IN THE MATTER OF OPERATION AND MAINTENANCE (O&M) PROGRAM UPDATE**

A recent table is provided of the present township results for the Sewage O&M Program. The final notice for all property owners that did not claim their third and final certified notices was sent out through regular mail on November 23, 2022. Any properties from which the regular mail notices are returned will receive a site visit by a member of the Environmental staff to hand deliver or post the O&M notice or to confirm the removal of the property from the O&M Program. This will ensure that all property owners with private sewage systems in the county will have received an approved form of official notification of their opportunity to object. Following the final notification effort, any property that has not complied with the new state code's sewage system inspection requirement will receive an inspection by an Environmental staff member and be mailed an inspection fee notice. All unpaid operation permit and/or inspection fees will incur an additional 25 percent late fee notice. All properties with O&M fees that are unpaid by the renewal deadlines provided to the property owners will then be forwarded to

the County Auditor to be assessed to the property taxes as allowed by state code. All applicable O&M Permits scheduled to be renewed in 2023 will be mailed a renewal notice in January as per Logan County Regulation 26. The health district will be continuing to conduct inspections and charge inspection fees for all sewage systems that the health district has not received proof that the property was inspected before its O&M Permit expired.

**UPDATE ON COST METHODOLOGIES CONDUCTED FOR ENVIRONMENTAL HEALTH PROGRAMS OTHER THAN FOOD**

Environmental Health is still working on the calculations for cost methodologies of their programs (other than food).

**IN THE MATTER OF NURSING REPORT**

Director of Nursing Kelly Reaver presented the October 2022 Logan County communicable disease case rates and the November 2022 nursing statistics. (See Notes to Minutes for stats and details.)

**IN THE MATTER OF PLANNING UPDATES**

Director of Community Health Megan Bailey reported that reaccreditation work is now 74% completed.

**IN THE MATTER OF HEALTH COMMISSIONER COMMENTS**

Health Commissioner Travis Irvan updated Board members on several items.

- The Health District has posted an open seat on the Board of Health as of March 2023. Completing an application has been requested. Mr. Irvan will also reach out to past applicants.
- The top five social media notifications in November were open Director of Community Outreach/Health position, open Emergency Preparedness Coordinator/Public Information Officer and Environmental Technician positions, levy feedback survey request, lab closed for Thanksgiving holiday notice, and Thanksgiving holiday office closure notice.
- A staff training day is Thursday, December 15, 2022. The office will be closed to the public all day.

**IN THE MATTER OF STAFF RAISES**

Mr. Irvan explained that the budget can support a four percent raise for staff. With several employees leaving/retiring and job positions realigned, this has eased the strain on the personnel budget. Also, last year employees received a bonus but not a raise. The four percent raise will go into effect on January 6, 2023, pay date and would be for permanent employees that are not on probation. For permanent employees on probation, their raise would not start until the pay period after probation ended. It was moved by Dr. Varian and seconded by Mrs. Collins to give full-time permanent employees a four percent raise starting January 6, 2023, with permanent employees on probation to receive their raise starting the pay period after ending probation. Ayes: Mr. Harrison, Mrs. Collins, and Dr. Varian. Nays: none. Motion carried.

**IN THE MATTER OF EXECUTIVE SESSION FOR PERSONNEL DISCUSSION**

It was moved by Dr. Varian and seconded by Mrs. Collins to enter into an executive session at 2:09 p.m. to discuss personnel issues. All supervisors were requested to stay. Roll Call: Dr. Varian-aye, Mrs. Collins-aye, and Mr. Harrison-aye. Nays: none. Motion carried.

The Board came out of the executive session at 2:28 p.m. with no decision necessary.

**IN THE MATTER OF JESSE DANIELS' RESIGNATION**

It was moved by Dr. Varian and seconded by Mrs. Collins to accept Jesse Daniels' resignation with full knowledge that Jesse embezzled from the Logan County Health District by falsifying time worked in the amount of \$206.15 in one pay period. The Board accepts the resignation without pursuing legal action against Jesse Daniels. Ayes: Mr. Harrison, Mrs. Collins, and Dr. Varian. Nays: none. Motion carried.

**IN THE MATTER OF ADJOURNMENT**

Confirming the next regular meeting for January 11, 2022, at 1:00 p.m. at the Logan County Health District, President Harrison adjourned the meeting at 2:31 p.m. without opposition.