



HURON COUNTY BOARD OF HEALTH MEETING
November 9, 2023, at 1:00 PM

Present: Dr. Gottfried, Kathleen Butler, Jeremy Loose, Greg Polachek, Krista Sowers

Absent: Kim Stults, Lisa Reer, Ron Robinson

HCPH Staff: Tim Hollinger, Karen Boose, Nicole Marks, Nino Majoy

Guest(s) In Person: Matt Roche-Norwalk Ohio News, Ronnie Freeman-Public, Randal Strickler-Huron County Prosecutors Office

The Board of Health of Huron County Public Health (HCPH), Huron County, Ohio met at a regular meeting of the Board on November 9, 2023, at HCPH Conference Room 1.

Dr. Gottfried called the meeting to order at 1:00PM and asked for a roll call. Mrs. Marks completed the roll call, and the quorum was present.

Dr. Gottfried then opened for public comment. With no comments Dr. Gottfried then moved onto the Environmental Administration Hearing. He asked Mr. Ronnie Freeman to come forward to be sworn in and give his statement. Mr. Freeman was sworn in by Mr. Randall Strickler of the Huron County Prosecutors office.

Mr. Freeman explained that this was all over his aerator in his septic tank. He explained that in 2014 they replaced the aerator with an after-market aerator because that was all they could find at the time. He went on to say that now this is a problem because there is a licensing thing now or an OEM Permit or something. He was not sure he said because the county does a horrible job of educating us on what we need out in the rural areas. So, he was not sure what the program is called. He then explained that the after-market aerator has been fine. It is an electric motor that spins and causes a few air bubbles that from what he understands helps to break down the material. He explained that it works and has always worked and was a third of the cost of the Norweco one. He then went on to say that if it does not work or if it is the wrong brand, it is not going to cause his septic system to leak. The aerator just helps to break it down faster. He then went on to say that it might save him money but if it is not working correctly, it would cost him more money because it would cause him to have his septic system emptied more often. He then stated that was all he had and why all of the sudden does he have to change his with a brand name one if his is working fine? He then said "You guys make your rules and maybe you guys have an OEM now, but you don't make people replace their entire septic system when you make new rules so why can I not be grandfather in and use the same one?" He then explained that he is two miles from the Ashland County line and they do not require any of the same stuff and he gets it that every county is different but why is Huron County so strick with the Norweco products, it just seems funny that Norweco is in our county and we all have to buy Norweco products. He said that was all he had. Dr. Gottfried then asked if anyone had any questions and there were none. Mr. Freeman asked if he should stick around and Dr. Gottfried explained yes, as they may have questions later.

Mr. Strickler then swore in HCPH employee Mr. Nino Majoy, REHS. Nino then informed the board that everyone should have a copy of a timeline in front of them to follow along with what he is explaining. Nino then explained that on October 25, 2021, Mr. Freeman was given notice of violation from Huron County Public Health (HCPH),

for failing to meet terms of the Operations and Maintenance (O & M) Program. When you look at the timeline you see that the violation was for having a non-manufactured specific component (aeration motor) inside of his aeration tank, this is utilized inside the tank to help treat sewage. Nino explained that the notice of violation was given after HCPH had gone through and looked at the documents. Mr. Majoy then walked everyone through the timeline explaining that the O & M Program began in March of 2019 and when we started to complete that program individuals throughout the county through several various means started to enroll in the program. Specifically for this address on May 7, 2020, an application was submitted by Dena Freeman, who was the property owner at the time. She submitted the application to our office for enrollment into the O & M Program. Mr. Majoy displayed a copy of the application for review. Once HCPH receives an application it is documented, scanned, and then put in a folder. HCPH then goes through all the information to ensure that the property is eligible for enrollment into the program. On May 20, 2020, HCPH staff reviewed the file for said property located at 2664 State Route 13 the eligible service was completed by Blake Sanitation LTD on June 11, 2019. The service form was validated, and property owner Dena Freeman was invoiced for enrollment into the O & M Program on May 20, 2020. Mr. Majoy explained the way that enrollment occurs is HCPH looks back at their system records and this system is an aeration and it has mechanical components in it and just like an automobile those mechanical components require service. Because you must complete that service, that is essentially how HCPH validates that a system is in compliance through having the correct service completed. Mr. Majoy shared a copy of the form that was submitted by Blake Sanitation. He explained that what he must do is look back in the timeframe of the scope of a year and approve whether the system has had service completed in that years' timeframe. Therefore, he is looking back all the way to May 20, 2019. Mr. Majoy explained that the service form he presented on the screen was the most recent service form completed at the time the application was submitted. It was completed June 11, 2019, and has listed on it that the aeration unit is a Norweco and everything was checked off as okay. Mr. Majoy explained that was the review process for HCPH and as long as everything checks out okay, they would be invoiced and enrolled into the O & M Program. As previously stated, this service was okay and HCPH went ahead and invoiced Ms. Freeman at that time for her O & M Permit. Documentation shows that on June 12, 2020, HCPH received that payment from Ms. Freeman for her annual O & M maintenance permit. This was valid from May 20, 2020, through May 20, 2021. Mr. Majoy presented a copy of the invoice that was sent and the receipt of payment.

Mr. Majoy then explained that on July 1, 2020, HCPH has permit issuance. Dena Freeman signed the 2020 O & M Permit on July 1, 2020, and Mr. Majoy digitally signed and filed the 2020 O & M Permit which completes the issuance process of the permit. So essentially once the permit is paid for HCPH then sends a copy of the permit asking that it be signed and returned to HCPH and then HCPH signs it, digitally files it and then returns to owner for their records. Mr. Majoy shared a copy of the O & M permit for that year outlining the dates and permit number and signatures.

Mr. Majoy then moved on to August 31, 2020, a sale of the property according to the Huron County Auditors records, Ronnie and Christine Freeman purchased the property at 2664 State Route 13 from Dena Freeman. He explained that with the purchase/sale of a property HCPH gets notice of that through the Auditors records. They send a weekly report to HCPH, and it is filed appropriately. Mr. Majoy went on to say that on October 25, 2021 a notice of violation letter was sent. Review of the file for 2664 State Route 13 was completed by HCPH staff and it was determined that the sewage treatment system was no longer compliant with the O & M Program due to documented use of an aftermarket non-OEM component. Documentation was shown of the services provided on 7-9-2020 and 5-12-2021, notice of violation was mailed at that time to Dena L. and Ronnie Freeman at 2664 State Route 13. Mr. Majoy presented a copy of the notice of violation that goes out stating that during the inspection and/or review of records the sewage treatment system at said address was observed and here are the ineligible reasons for obtaining your operations maintenance permit which is incorrect aerator motor, non-

OEM and it has a verified date from Blake Sanitation of October 25, 2021. Mr. Majoy then explained that on May 11, 2023, a second notice of violation was issued. The second notice was mailed to Ronnie Jr. and Christine Freeman at 2662 State Route 13 Greenwich, Ohio. Mr. Majoy explained the tank is a Norweco and therefore would utilize a Norweco aerator. Next Mr. Majoy presented for review the second notice of violation that was sent out containing a paragraph of explanation.

Mr. Majoy then reviewed the documents showing the inspections and the violations. He also reviewed the second violation notice document explaining all. He also shared that when a sewage treatment is approved in the state of Ohio it is required to go through revision from the TAC, which is the Technical Advisory Committee, they are the ones that approve all the sewage treatment systems in the state of Ohio. He explained that when a system is approved it is approved as a unit, so that unit is approved with all of its like components in it. They do not test them with additional components, so once a system is approved the system has to be utilized in its approved fashion. So when HCPH is violating someone for lack of a correct aerator or other components we are doing that because in order to give you a permit that says you are operating and maintaining your system correctly we have to certify that you are meeting the requirements that that system was passed under. So a Norweco aeration unit or a Jet aeration unit or any of the others that are utilized in Ohio, they have to have original equipment from the manufacturer utilized in them because that is how they were approved through the treatment train through the State of Ohio.

Mr. Majoy had several letters of opinion available from the Ohio Department of Health on why we have to have these systems and utilize the original equipment from the manufacturer. Mr. Majoy then went through some of the documents he had available. Mr. Loose, a board member asked a question, "Basically in the train process of getting a sewer system approved they are tested to function only with the parts that they have from the manufacturer, so if you put a non-specked part, it wasn't tested with that engineering to make sure it meets all the requirements". Mr. Majoy answered "Correct". Mr. Loose also asked "If a manufacturer goes out of business at a certain point there would no longer be parts for the system. What would we do then"? Mr. Majoy explained that there are a few examples that HCPH has already run across with that. For example, there are a couple of tank manufacturers that have been consolidated and HCPH reached out to the new company asking what parts are recommended for replacement. If the company goes out of business, then it would go to the Ohio Department of Health for inquiry and questions, and they make the decision on what is the like/comparable product and they make that decision. Mr. Majoy also had several documents from the Ohio Revised Code on how systems are approved in the state of Ohio and how they must be maintained. There were some highlighted sections and Mr. Strickler informed Mr. Majoy that he should read the highlighted sections for the board. Mr. Majoy then read through the highlighted sections. Mr. Loose asked if Blakes installed the aerator, or the homeowner and Mr. Majoy said he did not know as they have no record of the change or installation. Mr. Loose asked Mr. Freeman and he informed him that Blakes had installed it.

Mr. Majoy then moved through the notices of violation and when they were sent. On August 29, 2023, legal orders for notice of violation were mailed per certified mail to Ronnie Jr. and Christine Freeman at 2662 State Route 13 Greenwich, Ohio. Legal orders included instructions for corrections of violations and right to hearing with the Board of Public Health.

Mr. Majoy then went on to say on September 20, 2023, HCPH received per certified mail a request for hearing from Ronnie Freeman. On September 26, 2023, HCPH employee, Eric Cherry drafted a response letter to Ronnie Freeman notifying him of the date and time for the hearing with the board of health.

Board member, Ms. Sowers inquired about the cost of the correct aerator and Mr. Majoy replied he believed for a Norweco one they are north of \$800.00 for a replacement. He explained that he would have to get specific numbers from a distributor to be exact.

Mr. Strickler asked if anyone had any more questions for Mr. Majoy and there were none. He then asked if there were any questions for Mr. Freeman and Mr. Freeman asked if he could have a follow-up to Mr. Majoy and he was told yes. Mr. Freeman then went on to explain that what he currently has is not some crazy component and it is just an electric motor, and it drops in. He also said that the manual for his system says that it only needs one inspection per year, but the county also changed that to two (2) inspections per year. He then went on to say that Mr. Majoy had mentioned wing nuts and that they were not important, and that the aerator is also not important and petty.

Dr. Gottfried then asked for a motion to go into executive session per ORC 121.22 (G)(2) to deliberate on the appeal. Mr. Loose made the motion to go into executive session and Mrs. Butler seconded the motion. The motion passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried asked for a motion to come out of executive session per ORC 121.22 (G)(2). Mr. Polachek made a motion to come out of executive session and Mrs. Butler seconded the motion. The motion passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Mr. Loose made a motion that the board present their proposal to Mr. Freeman. That proposal being that on or before December 31, 2024, Mr. Freeman will have two services completed and replace equipment to original specs and the board will waive all past due service requirements. Mrs. Butler seconded the motion. Mr. Freeman asked, "What if he cannot have a new one in by that date?" In case it is not available or must be ordered. Mr. Loose explained it is the year 2024 so he would have a whole year. Mr. Freeman was then good with that. The motion passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

All documents and the recording of the Administrative Hearing is saved on the F:// drive.

Dr. Gottfried then presented Resolution 2023-89, a Resolution to approve the minutes from the October Board meeting. Mrs. Butler made a motion to approve resolution 2023-89 to approve the minutes from the October Board meeting and Ms. Sowers seconded the motion. The motion carried unanimously.

Dr. Gottfried presented Resolution 2023-90, a Resolution to approve the payment of the monthly expenditures with prior approval. Dr. Gottfried requested a motion to present and approve Resolution 2023-90. Mr. Polachek made a motion to approve the payment of the monthly expenditures with prior approval. Mrs. Butler seconded the motion. Dr. Gottfried had some questions. Dr. Gottfried said on page 6 there is \$99,000 appropriated but no title. Mrs. Boose explained that that is the total of the whole general ledger fund. Dr. Gottfried then asked about the initials on page 16, WPCLF. Mrs. Boose explained that that stands for the Water Pollution Control Loan Fund. With no further questions the motion carried upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler-Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye. The motion carried unanimously.

Dr. Gottfried presented Resolution 2023-91, a resolution to approve the October 2023 budgetary transactions. Dr. Gottfried requested a motion to present and approve Resolution 2023-91. Mr. Loose made a motion to present and approve Resolution 2023-91, approval of the October 2023 budgetary transactions and Mr.

Polachek seconded the motion. Mrs. Boose gave further information on Resolution 2023-91, reviewing all appropriation adjustments for the month of October. The motion carried upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye. The motion carried unanimously.

Dr. Gottfried then moved onto Resolution 2023-65, Resolution to establish fee schedule for body art. Mr. Polecheck made a resolution to read all environmental fees by title only and Mr. Loose seconded the motion. The motion carried unanimously following a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Mr. Hollinger then took over and informed everyone that this was the third reading of the environmental fees. He then presented Resolution 2023-65, Resolution to Establish Fee Schedule for Body Art. Mr. Polachek made a motion to accept the resolution as written and Mr. Loose seconded the motion. The resolution passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Mr. Hollinger then presented Resolution 2023-66, Resolution to Establish Fee Schedule for FSO and RFE. Mr. Loose made a motion to accept as presented and Mr. Polachek seconded the motion. The resolution passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Mr. Hollinger then presented Resolution 2023-67, Resolution to Establish Campground Fees. Mr. Loose made a motion to accept as presented and Mrs. Butler seconded the motion. The resolution passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Mr. Hollinger then presented Resolution 2023-68, Resolution to Establish Swimming Fees. Mr. Polachek made a motion to accept as presented and Mr. Loose seconded the motion. The resolution passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Mr. Hollinger then presented Resolution 2023-69, Resolution to Establish Public Bathing Fees. Mr. Loose made a motion to accept as presented and Mrs. Butler seconded the motion. The resolution passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Mr. Hollinger then presented Resolution 2023-70, Resolution to Establish STS Fees. Mr. Loose made a motion to accept as presented and Mr. Polachek seconded the motion. The resolution passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Mr. Hollinger then presented Resolution 2023-71, Resolution to Establish Private Water Fees. Mr. Loose made a motion to accept as presented and Mrs. Butler seconded the motion. The resolution passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Mr. Hollinger then presented Resolution 2023-72, Resolution to Establish Resident Camp Fees. Mr. Polachek made a motion to accept as presented and Mr. Loose seconded the motion. The resolution passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried then presented Resolution 2023-92, Resolution to approve the updated Personnel Manual. Mr. Loose made a motion to approve the updated Personnel Manual and Mr. Polachek seconded the motion. Mrs. Marks explained that the manual was sent out in the board packets and was also given to anyone attending the

last board meeting. The manual was reviewed from front to back over the last few weeks by the Personnel Committee and what the board has is the final draft. The resolution passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler-Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried then presented Resolution 2023-93, Request Approval of Medical Director Contract (Stephanie Gibson, M.D.). Mr. Loose made a motion to approve Resolution 2023-93, Request Approval of Medical Director (Stephanie Gibson, M.D.) and Mrs. Butler seconded the motion. Mr. Hollinger then explained the contract to the board. With no questions the resolution passed unanimously following a roll call vote. Dr. Gottfried-Aye, Mrs. Butler-Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried then presented Resolution 2023-94, Request to apply for funding from the ODH FY 25 Reproductive Health and Wellness Grant and appropriate funds. Mr. Polachek made a motion to hear and approve Resolution 2023-94 and Mr. Loose seconded the motion. Mr. Hollinger explained this is a federal grant to protect Ohioans from unwanted STD's and assist in developing family planning. With no questions the resolution passed unanimously following a roll call vote. Dr. Gottfried-Aye, Mrs. Butler-Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried asked for a motion to discuss the fiscal report. Mrs. Butler made a motion to hear and approve the fiscal report and Mr. Loose seconded the motion. Mrs. Boose then reviewed the fund balance report and the General Fund outstanding advance and the total of all funds. She also went over the general fund budget performance and covered some October expense highlights. With no questions for Mrs. Boose, Dr. Gottfried asked for a roll call to accept the fiscal report as presented. Dr. Gottfried-Aye, Mrs. Butler-Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye. The motion passed unanimously.

Dr. Gottfried asked for a motion to hear the Communicable Disease and School Absenteeism Report. Mr. Loose made a motion to hear the Communicable Disease and School Absenteeism Report and Mrs. Butler seconded the motion. Mrs. Marks explained that Kristian McCallen was away at training, and she had a recording of her report. Ms. McCallen reported there were sixteen reportable disease cases reported and zero vaccine preventable diseases reported in October. Ms. McCallen reported there were 626 COVID test kits distributed through the harm reduction vending machine. Ms. McCallen went over the school absenteeism report. With no questions Dr. Gottfried asked for all those in favor of accepting the Communicable Disease and School Absenteeism Report as presented to say Aye and all opposed Nay. The motion passed unanimously.

Dr. Gottfried then moved on to the Huron County Community Health Assessment (CHA) report. Mrs. Marks report covered on the CHA process, the release of the 2023 CHA to the public, key data from the CHA, and next steps.

Dr. Gottfried then asked for a motion to go into executive session per ORC 121.22 (G)(2). Mr. Loose made a motion to go into executive session and Mr. Polachek seconded the motion. The motion passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler-Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried asked for a motion to come out of executive session per ORC 121.22 (G)(2). Mr. Loose made a motion to come out of executive session and Mr. Polachek seconded the motion. The motion passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler-Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried then moved onto Resolution 2023-95, Resolution Approving the 2024 employee health insurance coverage. Mr. Polachek made a motion to approve the employee health insurance for 2024 and Mr. Loose seconded the motion. Mr. Hollinger asked if they were moving to compensate the four employees that would be affected by their age and the answer was yes. The motion passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried then moved onto Resolution 2023-96, Resolution to Develop a new classification and the reclassification of Majoy. Mr. Hollinger explained that Nino has the capacity to also be the IT person for HCPH and they would like to reclassify him and give him a pay rate of \$30.00. Mrs. Butler made a motion to accept the resolution and Mr. Loose seconded the motion. The motion passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried then moved onto Resolution 2023-97, Resolution approving a cost-of-living increase for employees. Mr. Loose made a motion to hear and approve the resolution and Mrs. Butler seconded the motion. Mr. Hollinger explained that budget projection review was gone over with the board and Mr. Loose moved to approve a 4% raise for employees and Mrs. Butler seconded the motion. The motion passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried then moved onto Resolution 2023-97, Resolution approving and easement at 288 and 292 E. Howard St. Willard. Mr. Hollinger explained that last month the board asked for more information on the easement. Mr. Hollinger met with Ohio Edison and worked out the details. These details are in the resolution. Mr. Loose made a motion to accept the easement agreement and Mr. Polachek seconded the motion. The motion passed unanimously upon a roll call vote. Dr. Gottfried-Aye, Mrs. Butler- Aye, Mr. Loose-Aye, Mr. Polachek-Aye, Mrs. Sowers-Aye.

Dr. Gottfried asked if there was any old business and with no response he asked if there was any new business. Mr. Loose made a motion for the board to adjourn, and Mr. Polachek seconded the motion. Dr. Gottfried asked for all in favor to say Aye and all opposed Nay. The motion passed unanimously. The meeting was adjourned at 3:51PM.