

**NORTON HEALTH ADVISORY BOARD  
CITY OF NORTON  
Wednesday, January 16, 2008**

The Health Advisory Board (NHAB) of the City of Norton, Ohio, convened for a public meeting in the Shirley L. McGuire Community Center Boardroom. Chairman Daniel Karant called the meeting to order at 6:35 p.m.

**I. ATTENDANCE:**

**PRESENT:** Daniel Karant, Dalia Spisak, Gail Hickey, Ken Braman

**ABSENT:** Nancy Delnay

**ALSO PRESENT:** Ed Binic, Environmental Health Director, BHD

**II. CONSIDERATION OF MINUTES:**

The Board reviewed the minutes of Wednesday, October 17, 2007 and Wednesday, November 14, 2007. Chairman Karant called for a motion. **Ms. Spisak moved to approve the minutes as submitted; seconded by Mr. Braman.**

**ROLL CALL: Ms. Spisak-Yea, Mr. Braman-Yea, Mr. Karant-Yea, Ms. Hickey-Yea. The motion passed 5-0, approving the minutes as submitted. They were signed and processed accordingly.**

**III. OLD BUSINESS:**

Chairman Karant asked to discuss educational issues, but thought it better to wait until Ms. Delnay was present. Chairman Karant said part of what needs to be discussed is Medicare Part B but the deadline for filing had passed. Ms. Spisak asked about minutes from the Mosquito Abatement District (MAD). Chairman Karant officially requested minutes and suggested Jill Easterling, of Barberton Health District (BHD), be contacted for the information. Chairman Karant also commented on the MAD looking to include more surrounding communities for a larger territory.

**IV. NEW BUSINESS:**

**A.) Discussion regarding the following:**

**1.) Election of New Officers:**

**Mr. Braman moved to nominate Mr. Karant as Chairperson. Ms. Spisak seconded the motion.**

**ROLL CALL: Mr. Braman-Yea, Ms. Spisak-Yea, Mr. Karant, Ms. Hickey-Yea. The motion passed 4-0.**

**Ms. Spisak moved to nominate Ms. Delnay as Vice Chairperson. Ms. Hickey seconded the motion.**

**ROLL CALL: Ms. Spisak-Yea, Ms. Hickey-Yea, Mr. Braman-Yea, Mr. Karant-Yea. The motion passed 4-0 (Ms. Delnay was not present, but Chairperson Karant advised that she had been consulted and would accept the offer.)**

Chairman Karant said at the next Council meeting there will be an announcement of an open position available on the Board. This position is also on the city website. Chairman Karant also asked if anyone at the meeting knew of anyone interested in the position. Chairman Karant said to make sure all applicants interested, submit a written request to the Mayor.

## **V. Status of Norton Health Cases:**

Mr. Binic (BHD) discussed several sites that had issues in Norton and reported the following:

### **1.) Summit C&D Disposal - 1947 Wadsworth Road:**

Mr. Binic said there were two updates on this issue. The first was on the Summit C&D site. The second was on the construction demolition debris site on Akron-Wadsworth Road. BHD just issued Summit C&D a 2008 License with Terms and Conditions, which was an extensive list of Terms and Conditions. Last week BHD received a notification that Summit C&D is again appealing those Terms and Conditions in their entirety. This appeal is on top of their formal appeal of the 2007 Terms and Conditions. Mr. Binic said the hearing before the Environmental Review and Appeals Commission, (ERAC) is a slow process, through the State EPA in Columbus. The BHD has contracted with Norton Law Director, Mike Lyons, for Legal Counsel; he will keep BHD updated on this issue. Attorney Lyons is also involved with the 2007 issues that are not yet resolved. Mike Muesel (BHD) telephoned Mr. Eslich, owner, and will report to the City tomorrow regarding their conversation. BHD does however, have a meeting tomorrow at the City Administration Building with Mr. Rick Ryland, Administration Officer, and Mr. Jeff Pritchard, Director of Planning & Community Development. Attorney Lyons will keep them updated on how the BHD should proceed.

### **2.) Gary Nichols - 4466 Hametown Road:**

This is an on-site septic system issue that has been pending for well over a year. Mr. Nichols has been running the system without a motor and the BHD has been banned from the premises. BHD has an Administrative Search Warrant in process and once received they will contact the Norton Police Department to enter Mr. Nichols property. BHD will conduct their inspection and then proceed with any legal action, under the direction of Norton's new City Prosecutor, Matt Hiscock. Mr. Binic will keep the Board informed on updates regarding this case.

### **3.) Town Crier - 2293 Akron-Wadsworth Road:**

Town Crier has changed its name to Cleats, a chain operation, and have done some kitchen updates. BHD officials found this out through City of Norton Building inspections. Plans were not previously submitted to the BHD for these updates. BHD is trying to help the owner as best as they can, but the BHD is letting them know that plans and permits are required before work is started.

### **4.) Fred Martin Motors - 3175 Barber Road:**

Fred Martin has purchased the Sunoco Gas Station next to them and has connected to the Barber Road sanitary sewer. This was one item taken off their list.

### **5.) Summit Road & McCoy Site - 3897 Summit Road:**

This site has overextended their height. BHD is requiring as part of their Terms and Conditions for 2008, they submit a topographic assessment of the site. Chairman Karant asked if they filed the first appeal in 2007. Mr. Binic said it was about this time last year. Chairman Karant asked if they were being held to a prior contract that was in place in 2007 or after they discovered leakage underneath that headed toward the waterway. Mr. Binic said in the Spring of 2007 they had a breach in part of the containment wall that leaked into Copley Run. This retainment wall was repaired, but that was a separate issue. It was however, part of many problems the BHD has with the site. BHD is continuing with the 2008 Terms and Conditions, which is evolving from the 2007 Term & Conditions. Part of the 2008 Terms and Conditions written dealt with the City of Norton's relatively new ordinance dealing with riparian setbacks.

Mr. Binic stated the City requires a 50 ft. setback from the banks of these watercourses. Summit C&D strongly objected to BHD including that in the Terms and Conditions. Summit C&D also insinuated that BHD doesn't have the legal authority, if it's not part of the C&D Regulations. Summit C&D objected to the fact that it's not part of their C&D Regulations, therefore, questions whether or not BHD has the authority to enforce a Norton ordinance. Mr. Binic

further stated that BHD Terms and Conditions are necessary to protect the environment and the public health. Mr. Binic further stated BHD will do what's needed to try to get these issues enforced. Ms. Spisak asked from whom do those C&D Regulation come? Mr. Binic said from the State of Ohio; the EPA also oversees those regulations.

Mr. Braman commented that a neighbor of a constituent had done some landfill and possibly broke a culvert pipe that comes across his property. Now occasionally his leach field gets flooded. Mr. Braman wanted to know if that was a Health Department issue. Mr. Braman also stated that he believes it was the neighbor's pipe and that Mr. Ryland was looking into it.

**6.) Tomaso's Restaurant – 3271 Barber Road :**

Chairman Karant asked about the tie-in issues regarding Tomaso's Restaurant. Mr. Binic said they were tied in. Mr. Binic stated that Norton had approached BHD almost a year and a half ago. BHD had the sanitary sewer line running down Barber Road and out on Wooster Road West. There are some sanitary connections in Loyal Oak area that also needs to be done. Norton approached the BHD and wanted to move forward and enforce Barber Road. As BHD looked at that area, they decided they couldn't just pick on Barber Road when they have a couple of other areas in Norton. BHD took this into an account and did a detailed survey of all these areas. BHD has decided their next step from the Prosecutors hearings, was to refer everything to the City of Norton's Law Director for appropriate legal action. BHD has a final list of people that did not connect, which was turned over to Norton eight or nine months ago. Mr. Braman said there were three properties right now going through the process on Wooster Road. Mr. Braman asked if Mr. Lemmon owns all three properties; Mr. Binic said yes. Mr. Braman said he believes that Mr. Lemmon is possibly doing some recycling, or towing, but the paperwork is in process now. Mr. Binic said he believes Mr. Ryland may be visiting these people and giving them the personal touch. Chairperson Karant asked Mr. Binic how many properties were left to tie-in. Mr. Binic said probably approaching twenty. BHD had at least a dozen properties that tied in after a relatively short period of time. He stated that there were more properties since then, but now the count is less than twenty and that number is coming down slowly.

**7.) Norton Pub – 4020 S. Cleveland-Massillon Road:**

Chairman Karant inquired about the Norton Pub tie-in. Mr. Binic said Norton Pub appealed to the BHD and they granted him a twenty-two month extension. That extension will be up in April or May 2008.

**8.) Norton Tool & Rental – Stavarz – 2824 Barber Road:**

Chairman Karant asked if anyone knew any updates. Mr. Braman said that Norton Tool & Rental/Stavarz had promised Mr. Ryland that they would hook-up by last fall but have not. Chairman Karant asked if this was because of the lack of benefits. Mr. Binic said the benefit issue is in the Loyal Oak area. Chairman Karant asked if that effects the Norton Pub; Mr. Binic said that it was not effected. Chairman Karant said that the Board should make a statement to Council on this issue. Chairman Karant stated that in a few months BHD will have to ask Council if the Norton Pub be cut loose or forced to tie-in. Chairman Karant asked if there were any other issues to be addressed.

**9.) Budget Review**

Ms. Spisak asked about the Budget Review. Ms. Spisak said there was some kind of discussion made about a Summit County bid. Mr. Braman said the City of Norton was only talking to them and getting a price to compare it to Barberton's. Mr. Braman stated that it hasn't happened yet by official contract, but the money is in the budget to extend it to the rate that BHD wants. Ms. Spisak said she thought that the City has a contract on board, that it was just a renewal. Mr. Binic said that from his understanding, the BHD had come in with a lower figure that was previously offered from the current rates, but they were still underneath Summit County's proposal. Mr. Binic stated he believes for the price, the services exceed Summit County's.

**10.) Mosquito Control Program:**

There was an overall general discussion about the mosquito issue. Mr. Braman said at Council meetings there usually are complaints. Chairman Karant said he hadn't heard a lot of complaints. Chairman Karant also stated that the reports on West Nile virus have been at least as good as the rest of the county, if not better. Mr. Binic stated that the statistics on this issue are the average trap count for the County. Ms. Spisak asked what kind of traps they were. Mr. Binic said they are the Center for Disease Control miniature light traps. He then went into a detailed discussion on how they worked and how the BHD uses them. Ms. Spisak asked if it was the same mosquito mist that they are using now. Mr. Binic said the BHD had switched the mosquito mist. Mr. Binic stated that this mist was just as effective as what they were using and is just as cost effective. Mr. Binic went on to describe how the mosquito mist worked. Ms. Hickey asked if it was safe for humans and pets. Mr. Binic said it was very safe and target specific.

Chairperson Karant asked if there were any other issues.

Ms. Spisak spoke up and told Mr. Binic that the BHD appreciated everything he has done. Ms. Spisak further stated that Mr. Binic has kept everyone informed and thanked him for his efforts. Ms. Spisak said she believed the Boards effectiveness has increased. Mr. Binic appreciated the Boards support of him.

**Chairperson Karant asked if meeting times could be changed to 7:00pm. All attendees agreed to the change meetings to 7:00pm.**

Ms Spisak thought she saw on the City's website that Chairperson Karant's term was up in 2006. Chairman Karant stated that his term should be up in 2009. (The stenographer checked the records and found Chairperson Karant's term runs through 12-31-10.)

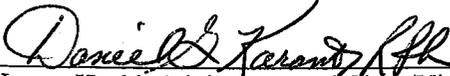
Chairman Karant discussed conflicts on the February meeting schedule. A decision was made to schedule the next meeting tentatively for Wednesday, February 20, 2008. If for some reason there is not enough business for an agenda, then we will cancel and meet the following month.

Ms. Spisak suggested if the Board meet with the new Mayor. Chairman Karant stated that the Mayor was dealing with issues with Council now, but would probably be available to join their Board at a later time.

Chairman Karant asked if there was anything else to discuss. Chairman Karant reminded everyone that the next meeting is Wednesday, February 20, 2008 at 7:00pm.

**V. ADJOURNMENT:**

Chairperson Karant announced that the next NHAB meeting was scheduled for Wednesday, February 20, 2008. There being no further business coming before the Board, Chairman Karant adjourned the meeting at 7:40 p.m.

  
Norton Health Advisory Board Chair/Vice-Chair

  
Norton Health Advisory Board Vice-Chair/Member

2/20/08  
Date

