



Norton Health Advisory Board Memorandum

To: Karla Richards, Clerk of Council
From: Paula Fisher, Interim Boards & Commissions Secretary
Date: 5/21/09
Re: Norton Health Advisory Board Approved/Signed Minutes: March 28, 2009

Attached you will find a copy of the approved/signed minutes from the Norton Health Advisory Board meeting held on March 28, 2009.

Please note that the original document has been forwarded to, and will be on file with the Clerk of Council.

E-Mail: Mayor (per Admin. Asst.)
Administrative Officer
Finance Director
Director of Law
Director of Planning & Community Development
Office Manager
Norton Health Advisory Board (5)
Council (7)
Executive Assistant/Barberton Health Commissioner
Dir. of Environmental Health (BHD)

CC: Tom Jones (Council)
William Mowery
NHAB File/Posting

**NORTON HEALTH ADVISORY BOARD
CITY OF NORTON
Saturday, March 28, 2009**

The Health Advisory Board (NHAB) of the City of Norton, Ohio, convened for a public meeting in Council Chambers of the Safety Administration Building. Chairman Daniel Karant called the meeting to order at 8:00a.m.

I. ATTENDANCE:

PRESENT: Daniel Karant, Dalia Spisak, Nancy Delnay, Mike Safron, and Brenda Hlas

ABSENT:

ALSO PRESENT: Rick Ryland

II. CONSIDERATION OF MINUTES:

III. OLD BUSINESS:

Chairman Karant stated that he wanted to start the discussion of the Health District Contract. Chairman Karant stated that they heard both proposals and wanted to have the exact dollars and sense that would be asked from both and asked Mr. Rick Ryland if he had the amounts? Mr. Ryland stated that he did not have it with him but it was approximately \$10,000.00 apart between the 2 contracts and the higher of the two being the Summit County Health Department. Mr. Ryland stated that he believed it was \$82,000.00 and \$91,700.00 he believes are the numbers. Nancy Delnay stated that Barberton's rate is lower because that doesn't include the Mosquito Control District that is not factored in. Chairman Karant asked Mr. Ryland to speak from his point of view as the City Administrator.

Mr. Ryland stated that Barberton Health District has done a number of things right, inoculations, their inspections of food services have been excellent. BHD is very responsive to his calls and there has been a marked improvement since Paulette Kline has come on board. Mr. Ryland stated he has to deal with the Issue 2 water quality fallout issues on a daily basis. Mr. Ryland stated a little history back in 2003 put a sewer line on Barber Road and they mandated the tie-ins of the business. Mr. Ryland stated as of 2003 we have 17 business who have been under prosecutor orders to tap-in to main stay sewers and that has failed to happen and that is unacceptable responsibility that falls upon the BHD. They have the jurisdiction they have the power and they have the authority to make the people either tap-in or walk away from their business. They have failed to do any. Mr. Ryland stated that the water quality fallout numbers are horrendous. You will hear more at the meeting on Monday, March 30, 2009, if you come to the meeting. Mr. Ryland stated that we have started septic inspection and they are running at a 50% failure rate. Mr. Ryland stated that BHD does not have the staff to get out to find what is going on. Mr. Ryland stated that why that is so important to him is because the EPA can come into the City of Norton after looking at the water quality fallout counts and state the City of Norton will put in sanitary sewer and that is where it stops on the part of the EPA. Mr. Ryland stated that they don't tell you how to fund it, they don't tell you there is grant money, they don't say here, here is a check go do it, they say do it with fines of excess of \$10,000 a day when it is not done and this community cannot afford it. Mr. Ryland stated that he gets responses from Summit County Health Department as quick as he can from Barberton Health District. He stated he can call them and get advice on issues from their environmental control department and is much more extensive than Barbertons; and they are here to help. Mr. Ryland stated that Summit County Health Department is more responsive and has the tools, the people and the background to help clean up our water quality issues that we have here. Mr. Ryland stated that they are very good on their inoculations, home inspections, and food service inspections. Mr. Ryland stated that Summit County stated they could have the inspections done by the end of summer, they have 20 field agents and Barberton Health Department would take till 2015 BHD does perform but they just do not have enough staff.

Mr. Ryland introduced George Thomas Blankenship. Mr. Blankenship stated that what Mr. Ryland stated was true from the EPA. Mr. Blankenship stated that he has left numerous messages with Barberton Health District and he knows they are short handed but he stated he does not get the information that he can get from Summit County. Mr. Blankenship stated that with Summit County you know if you come across a situation you know what the plans are. With Barberton it was like a case by case situation. With some situations one had to do it one way and another person would have to do it another way. Summit County has more consistency. Mr. Blankenship stated that when he went to the Town Hall meeting concerning the septic systems, he had requested from BHD a list of the off-lot systems addresses and Mr. Ed Wood stated that he could get it on the web site, and then the director stated that no you can not get it off the web site because it is not there. Mr. Wood then told Mr. Blankenship that it was not on the web. Mr. Blankenship stated that Brenda Hlas then came over to him after the meeting and handed him a list of the addresses. That is the case in point. Mr. Ryland thanked Mr. Blankenship for coming in and for helping him with his questions. Mr. Ryland stated that he contacted Summit County again and stated that at a 50% failure rate in the City of Norton with septic systems they anticipate that we will put 115M gallons of raw sewage into the streams this year if we hold a 50% failure rate. Mr. Blankenship stated that these are old systems and they need to have maintenance on the system and it has never been done regularly. Summit County states that if you put in an off-sight system they do require maintenance program in writing with the contract and they do know the systems are being looked at. Chairman Karant thanked Mr. Blankenship for his comments.

Ms. Delnay stated the importance of having the direction to maintain your system. The residents have never really been told that they need to have the maintenance done on their septic. Mr. Delnay stated that she knows how expensive it is to upgrade and tap-in to the sewer. Happy to have Mayor with foresight. This city needs to have water and sewer to grow. We want to keep our small town feeling but you need to have businesses to support the city. Barberton Health District is good but they do not have everything for the city to grow over the next few years.

Mr. Safron stated that he has dealt with Summit County when he sold his house with a failing septic system and they do have procedures in place to provide new system inspection and were very responsive to questions and concerns. Are we going to encounter the same problems with getting the septic systems that aren't acted on because that will become a large concern since we will be looking at a much larger number.

Ms. Spisak stated that she agrees with Mr. Safron and Ms. Delnay. She knows they must address the priority of pollution that they share with the community. Ms. Spisak stated that the Barberton Health District is not bad or wrong, they are friends but they do not have the resources to take care of our crisis. Ms. Spisak stated that it is time to take advantage since we have waited for 23 years and we need to put Norton and the environment first and the decision is self-evident. Ms. Spisak also stated that if the clinics stay open in Barberton, anyone could still go to them.

Ms. Hlas stated that the main concern for her is the C & D's. The city has 2 in the city and does not think that Summit County would have the monitoring we have now. The septic situation is the top priority for the time now with what is happening. Ms. Hlas stated she is still worried about the C & D's. With what is going on I would have to go along with Summit County Health Department under duress.

Chairman Karant stated that the Barberton Health District has been more responsive to the City of Norton than before Gene Nixon was head of Summit County. Chairman Karant had found that Barberton Health District hired retired Judge McNulty to be their independent decision-maker. The cost of any litigation against a citizen is borne by the citizen and not by the City of Norton. Chairman Karant stated he would like to know if the City of Norton would have any charge from Summit County. Chairman Karant stated he talked to Summit County about a medicine disposal program. Chairman Karant stated that he is concerned about what happens to their neighbor Barberton, but his greater concern is what happens to Norton because he is here on behalf of Norton not Barberton. Chairman Karant stated now that we have had our moment to share he wanted to know if they were willing to make the proposal now or talk further? Mr. Ryland interjected and stated that if this Board did not make the recommendation to Council, a week from Monday night, Mr. Ryland stated that he is making the recommendation to Council. Mr. Ryland stated that the contract is expiring and it is time to move forward and we have had a lot of discussion about this subject and he knows it is heart wrenching but common sense needs to prevail. Mr. Ryland stated that he prefers to make the recommendation with the support of the Health Advisory Board, that is why we made you all involved and to keep you up to date with what is going on but with or without you I will make the recommendation a week from Monday at Council. Ms. Delnay asked Mr. Ryland how long the next contract would be. Mr. Ryland stated that it could be written any way, it could be a two-year contract it could be a one-year contract. Mr. Ryland stated that the longer the period time you are locked in on price. Ms. Hlas asked how long Gene Nixon has been with Summit County and Chairman Karant stated since 2001. Ms. Hlas stated that the issue we had with the Pander property would maybe not have happened then and that is why we went away from

Summit County. Chairman Karant stated that it was one of the issues but also the C & D's that weren't being cleaned up and the issue of the property behind the Natatorium that had barrels of waste that was dumped and never cleaned up. Chairman Karant stated that the largest issue across the nation is the septic issue for every community large or small as what to do with their waste.

Chairman Karant asked if there was anything else that needs to be said? Ms. Delnay stated that one thing to keep in mind is that Norton has a vote with Summit County but not with Barberton. Ms. Delnay stated that Barberton hears what we say but bottom line is we still don't get to make that vote so that is a factor. Mr. Safron stated that from the draft minutes of March 18, 2009, Mr. Moss had stated that the cost of prosecuting a resident if they do not comply, the cost of prosecuting within Summit County is within the contract. Chairman Karant asked, In The Contract, what does that mean there is no additional cost then is that how to interpret that or provisions are stated and that is how much we owe? Mr. Ryland stated that it is in the contract, which means they take the initiative they make the initial filings the law that you cited the homeowner or business they are responsible for the cost of the case moving forward.

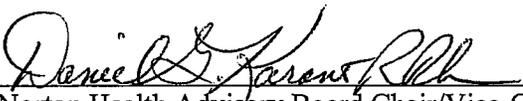
Chairman Karant asked if there were any other comments? There being none, can we have a motion?

Ms. Delnay moved to submit to City Council our preference for establishing a contract with Summit County Health Department for the services for the community of Norton. Ms. Spisak seconded the motion. Roll Call: ROLL CALL: Ms. Delnay-Yes, Mr. Spisak – Yes, Mr. Karant-Abstained, Ms. Hlas – Yes, Mr. Safron – Yes. The motion passed 4 – 1 - 1, approving the motion as written. The motion was signed and processed accordingly.

IV. NEW BUSINESS:

V. ADJOURNMENT:

Chairman Karant announced that we would have the next meeting on April 15, 2009 at 5:00pm in Council Chambers. There being no further business coming before the Board, Chairman Karant adjourned the meeting at 9:00a.m.


Norton Health Advisory Board Chair/Vice-Chair


Norton Health Advisory Board Vice-Chair/Member

5/20/09
Date