

Health Board Minutes
May 17th, 2022
Members present in person at the Health Department

Members Present:

Linda Bauer
Michael Day
Thomi Elmore
Thomas Martin
Catherine Rountree
James Zimmerly

Staff Present:

Corey Frost
Taylor Hardesty
Jennifer Heller
Judy Hess
John Kennard
Ernie Reed
Seleah Settle
Dr. Norman Oestrike, Health Officer

Guests Present:

Michelle & Steve Cobb
ADF Construction

Approval of Minutes from March 15th, 2022

ROLL CALL VOTE: ROLL CALL VOTE: Motion to approve the minutes from the March 15th meeting passed unanimously.

Michelle & Steve Cobb-6435 Pheasant Drive

a. Stop Work Order

- I. Michelle and Steve Cobb stood before the board to appeal a stop work order that was placed on their property in Cordry-Sweetwater. They explained that the home that was there previously was a 3-bedroom home and had a fully functional septic system. Michelle stated that when her husband Steve was diagnosed with Parkinson's disease, they decided to remodel the home to make it more ADA accessible with wider hallways and other accommodations. They obtained a building permit for a remodel from Planning and Zoning. John Kennard wrote a letter of approval for the remodel to take place under the condition they reduce the home to 2 bedrooms, as that is what the current system could support.
- II. While doing an inspection, John Kennard discovered that the house had been taken down to just the foundation and 3 walls. According to code, this now qualified the home as a new construction rather than a remodel, which meant the Cobb's would need to install a new septic system making it current to today's code. Through a soil test and a consultation with a septic installer it was determined a new system could not be placed on the property. At that time, a stop work order was placed.
- III. Michelle stated that she did her due diligence in obtaining these permits and was unaware that removing the roof and the second story of the home changed the classification of construction. This was the result of a miscommunication about the definition of a remodel between the builder, Planning and Zoning, and the Health Department. Since this is their primary residence, they are currently staying with family members, and it has caused financial and emotional distress.
- IV. Thomi apologized for the distress and confusion that had occurred during this process, but stated she supported allowing them to continue this project and hook onto their old 2-bedroom septic system with their new 2-bedroom floor plan. She stated that communication gaps between partnering departments would be addressed. Linda Bauer and Jim Zimmerly agreed with Thomi.

ROLL CALL VOTE: Motion to remove the stop work order on 6435 Pheasant Drive passed unanimously.

ADF Construction- Harmony Tree Resorts Inc.

- a. Stop Work Order
 - I. Representatives from ADF Construction appealed to the board regarding a stop work order placed on the commercial property for Harmony Tree Resorts at 1292 State Road 135 South. This property was formerly Rawhide Ranch. They intend to have overnight accommodations, as well as a restaurant, spa, and other amenities.
 - II. Ernie Reed placed the stop work order on the property when he was informed Harmony Tree had never obtained a permit from the state for their commercial waste disposal. According to state code, ADF never should have started construction on this commercial property without having a waste disposal plan and approval of that plan from the state. After speaking with the state, Ernie discovered a pre-application for disposal had not been submitted. Ernie recited code that specifically stated they could not operate or continue construction without these items.
 - III. ADF stated they were waiting to hear back from the state regarding additional permitting.
 - IV. Thomi clarified to ADF that the local health department has no jurisdiction to allow exceptions for commercial properties. Thomi stated that the board and the department could not remove the stop work order until given permission by the state.

Front Office- Judy Hess and Taylor Hardesty – Report Mailed

ROLL CALL VOTE: Motion to approve the front office report passed unanimously.

2023 Budgets-Report Mailed

ROLL CALL VOTE: Motion to approve the 2023 budgets passed unanimously.

Emergency Preparedness-Corey Frost– Report Mailed

ROLL CALL VOTE: Motion to approve the emergency preparedness report passed unanimously.

Nursing- Seleah Settle – Report Mailed

- a. COVID
 - I. The clinic is still administering several doses a day. Seleah stated that the clinic was very booked with 2nd booster appointments when it was first approved, but the demand has declined.
 - II. The amount of testing has increased due to travel requirements.
- b. Naloxone
 - I. Seleah stated that 22 doses of Naloxone had been distributed and they were all to Centerstone and other recovery organizations such as Do Something.
- c. Baby Formula Shortage
 - I. Thomi announced that Clarity Pregnancy Services offers free formula and other baby necessities for those in need. Seleah said she would share this information to the department's Facebook page.

ROLL CALL VOTE: Motion to approve the nursing report passed unanimously.

Environmental Health –Jennifer Heller – Report Mailed

ROLL CALL VOTE: Motion to approve the environmental health report passed unanimously.

Environmental Health-John Kennard & Ernie Reed-Report Mailed

- a. House Bill #1245
 - I. The board was provided a copy of the new House Bill #1245. The bill will not take effect until July 1st, 2023. The bill takes away the capability for local health departments to make rules more stringent than the state code. Ernie said this will eliminate the current county ordinance and could cause serious issues, as the state code does not address several items like fines, penalties, and installer registration.

- II. John announced that the state sent out a survey about this bill and he will email it to the board so they can partake in it and voice their concerns. A lot is still unknown about this bill and its impact, and the department will keep the board updated as more information is released.
- b. Pump and Haul
 - I. Documentation was provided to the board by Taylor Hardesty showcasing the number of residents on pump and haul and the extremely low compliance rate. When a homeowner signs a pump and haul agreement, they agree to send their monthly water bill and pumping receipts within 10 days of receiving them. The reason this is collected is so the department can compare the gallons of water used to the gallons of waste pumped, to assure the resident is not illegally dumping sewage onto the ground. John discussed how it is rare for a resident to comply with turning in the required documents.
 - II. For this reason, John stated that the department will only be following the state's code on pump and haul and will not allow any deviations from the code.

ROLL CALL VOTE: Motion to approve the environmental health report passed unanimously.

ROLL CALL VOTE: Motion to adjourn meeting at approximately 6:30 pm passed unanimously.

Respectfully Submitted,



Norman Oestrike, MD
Health Officer

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