

REGULAR MEETING OF THE CLARK COUNTY BOARD OF HEALTH
CLARK COUNTY, INDIANA
JANUARY 9, 1991

The Clark County Board of Health conducted a Regular Meeting in the dining room of the Clark County Memorial Hospital on January 9, 1991.

Present at the meeting were Board Members Dr. Jim Howard, Dr. Charles Kemper, Joe Jacobi and Kevin Guernsey. Members absent were Katherine Raines, Dr. Joe Carr and Darrell Sherrard. Also present were Board Attorney Dawn R. Elston.

The meeting was called to order by Vice-President, Dr. Jim Howard. Dr. Howard invited prospective Health Board Attorney applicants Joan Henderson and Karl Truman to give a presentation. Both attorneys described their backgrounds and experience and each also presented their salary requirements. The Board determined that the position should be advertised in The Evening News to permit other interested attorneys the opportunity to seek the position.

The minutes from the October 16, 1990 meeting were read and approved.

The Board conducted its annual election of officers and Dr. Jim Howard was voted Board Chairman (President) and Dr. Charles Kemper was voted Vice-President. Each man was elected by a vote of four which is a majority vote of the Board of Health.

1991 Regular Meetings were scheduled for April 10, July 10 and October 9. A Special Meeting was scheduled for February 6, 1991 at 6:30 P.M. in the Clark County Memorial Hospital dining room.

Dr. Burke reported that the 1991 budget was approved including a 7% raise for all Health Department staff. Burke noted that The Evening News wishes to publish the Health Department's restaurant inspection reports. Dr. Burke discussed the satellite clinics and their locations and that the sexually transmitted disease clinic was to be opened soon and supervised by Dr. Ramos. Burke added that the Governor signed into effective the new Septic Tank Regulations on December 21, 1990. Mike Meyer has met with the local Board of Realtors regarding informing potential home buyers and builders of the septic tank requirements. Dr. Burke reported that Ed Isom has agreed to install a Health Department approved septic system and that a Wisconsin mound system is to be installed for Mr. Plummer. Dr. Burke added that there is to be a change in septic tank inspection fees calling for an increase in this fee.

Administrator Mike Meyer discussed the Utica flooding and the effective of this flood on the new sewage plant there.

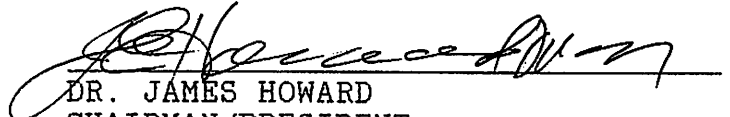
Board Member Joe Jacobi requested a copy of the new septic tank regulations.

Board Member Charles Kemper inquired as to whether the Health Department intends to develop a plan for future flood emergencies.

Mike Meyer and Board Attorney Dawn R. Elston discussed the Deena Williams appeal currently before the Review Board of the Unemployment Insurance Division of the Indiana Department of Employment and Training Services.

Teresa Halcomb was introduced by Dr. Burke as the new supervisor for the WIC and MCH programs. Ms. Holcomb discussed the programs, her goals, the programs budget and the area of pre-school immunization.

There being no further business, the meeting was unanimously adjourned at approximately 8:30 P.M.


DR. JAMES HOWARD
CHAIRMAN/PRESIDENT
CLARK COUNTY BOARD OF HEALTH

SPECIAL MEETING OF THE CLARK COUNTY BOARD OF HEALTH
CLARK COUNTY, INDIANA
FEBRUARY 6, 1991

The Clark County Board of Health conducted a Special Meeting in the dining room of the Clark County Memorial Hospital on February 6, 1991.

Present at the meeting were Board Members Dr. Jim Howard, Joe Jacobi, Dr. Charles Kemper, and Kevin Guernsey. Also present were Health Officer Kevin Burke, Administrator Mike Meyer and Board Attorney Dawn R. Elston.

Board Members absent were Katherine Raines, Darrell Sherrard and Dr. Joe Carr.

Chairman Jim Howard called the meeting to order at 6:50 P.M. Minutes from the previous meeting were read and approved. Dr. Howard invited Board Attorney candidates to give presentations.

Attorneys George Rorrer, Paige Gabhart, James Kizer and Joan Henderson addressed the Board. Candidate Mitchell Harlan was absent as was Karl Truman. It was learned that Mr. Truman was activated into the military reserves and thus was no longer a viable candidate.

The Board called for a recess after a brief discussion of the candidates. Upon returning from recess, the Board opened discussions regarding two finalists, those being attorneys Joan Henderson and Jim Kizer. Joe Jacobi nominated Mr. Kizer and Kevin Gurensey seconded the motion. A vote was taken and Mr. Kizer was unanimously confirmed.

The Board discussed Mr. Kizer's contract and determined he would be paid \$610.00 per month for routine duties and \$70.00 per hour for non-routine duties. Mr. Jacobi indicated that Mr. Kizer would have to submit a claim to the Board for additional hourly fees. Mr. Jacobi also noted that there should be a thirty (30) day notice to terminate the contract by either the Board of Attorney and the Board agreed to these propositions. Dawn R. Elston is to prepare the contract.

Dr. Burke addressed the Board regarding an impropriety in the office of Planning & Zoning in that a building permit was issued to home owner Dan James before a septic tank permit was issued which is not the appropriate order. Apparently Wayne Hughes of Charlestown installed a septic system for Mr. James without the proper permit.

Burke advised that it was to be proposed that Mr. Hughes have his septic tank installation permit revoked. Burke added that Mr. James should also be subject to civil penalties.

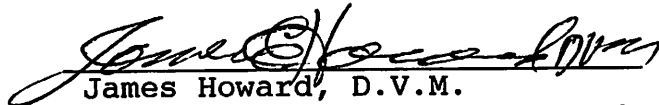
Mike Meyer noted that Nancy Blacker of Planning & Zoning will monitor permit issuances more closely.

Mr. Jacobi recommended a fax machine be installed to facilitate communication between Planning & Zoning and the Health Department but it was noted that Planning & Zoning doesn't have the equipment available.

Mike Meyer informed the Board of the demolition project at the treatment plant. Dixie Demolition is doing the job.

The next regular Board of Health Meeting is scheduled for April 10, 1991, at 6:30 P.M. in the hospital dining room. Dr. Kemper suggested that each Board Member be contacted by telephone the day before the meeting.

There being no further business, the meeting was adjourned by unanimous consent at 8:50 P.M.


James Howard, D.V.M.
President, Clark County Board
of Health

CLARK COUNTY BOARD OF HEALTH
MINUTES, APRIL 10, 1991

The Clark County Board of Health held its regularly scheduled quarterly meeting on April 10, 1991, in the dining room of Clark Memorial Hospital.

Present at the meeting were Board members Dr. James Howard, Joe Jacobi, Kevin Guernsey, Kathryn Raines, Dr. Joe Carr, and Darrell Sherrard.

Also present were Dr. Kevin Burke, Health Officer, Mike Meyer, Administrator, and James Kizer, Board Attorney.

Chairman Dr. Howard called the meeting to order at 6:35 P.M. Minutes from the previous meeting were read and approved with corrections.

The Annual Report of the Department was presented to the Board and reviewed by staff.

Mr. Meyer reviewed current budget status stating that cash flow was a problem pending the distribution of spring taxes. An advance could be requested if necessary and he would be closely monitoring the situation. Dr. Howard inquired about the FY92 budget and the Board's approval of the same. Mr. Meyer stated that the budget was being prepared and would be presented for approval before submission to the County Council.

Mr. Kizer reviewed the status of the Williams unemployment claim. He stated he had represented the Board at an appeal before the Unemployment Insurance Review Board on April 9, 1991, and that the decision would be forthcoming. He also answered questions about the tort claim involving this same case. To date a lawsuit has not been filed. Other items reported were cases that the County Prosecutor had been holding for further action. Two cases had complied with the code and dismissal will be recommended. The third case is in the process of abatement and compliance is expected.

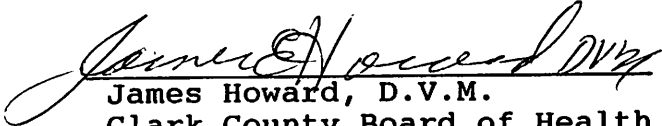
The Board discussed additional funding that will be required for attorney fees if the board attorney handles enforcement cases instead of the prosecutors office. Currently the attorney's contract does not include this enforcement action. The pending lawsuit will also require additional funds that are not budgeted. Mr. Kizer is to propose an estimate of this extra expense and advise the board. The Board may consider approaching the County Commissioners for assistance.

A discussion concerning the department reimbursing employees for membership dues in professional organizations was held. The decision was to fund these dues if the department requested the employee to become a member of that organization.

Mr. Kizer is to research the Board's ability to enforce the Sanitary Code if sewage has not surfaced from an improperly installed and/or approved on site disposal system. Several Board members attended a meeting with the State Board of Health and stated their attorney informed them they would not pursue a case unless sewage was exposed to the atmosphere. Mr. Meyer stated this seemed contradictory to the mission of public health, which is to prevent health problems from occurring.

Dr. Burke reported that the department has been notified that the landlord of the Medical Arts Building has filed bankruptcy. The clinics are in need of additional space and the department is continuing to explore options in this matter. Dr. Burke also reported on a meeting that morning with the OB department at University of Louisville Medical School. The Health Department and Clark Memorial Hospital are negotiating with the Medical School to provide physician coverage for indigent prenatal patients in the county. He will advise the board as the situation progresses.

The next meeting is scheduled for July 10, 1991, at 6:30 P.M., in the hospital dining room. There being no further business the meeting was adjourned at approximately 8:30 P.M.


James Howard, D.V.M.
Clark County Board of Health

CLARK COUNTY BOARD OF HEALTH
MINUTES, JUNE 19, 1991

The Clark County Board of Health held its June 19, 1991 meeting in the dining room of Clark Memorial Hospital.

Present at the meeting were Board members Dr. James Howard, Kathryn Raines, Dr. Joe Carr, Kevin Guernsey, Darrell Sherrard, Dr. Kemper, and Joe Jacobi.

Also present were Dr. Kevin Burke, Health Officer, Mike Meyer, Administrator, and James Kizer, Board Attorney.

Dr. Howard called the meeting to order at 6:35 P.M. Minutes from the previous meeting were read and approved.

Mr. Meyer explained the proposed FY92 budget and how grant money is affected if the council reduces certain line items.

Dr. Burke noted that the Local Health Maintenance budget shows a decrease over the previous years budget.

There was a question concerning the high rate of increase in salaries (10%) and Anne Fowler, president of the County Council noted that this is normal for most county offices to ask for this amount. The council would then review all county budgets and appropriate the amount of salary adjustments they felt were possible.

Mr. Meyer explained that all grants except Local Health Maintenance are reimbursed at the end of the month in which the money is spent and that at certain times of the year this creates a cash flow problem.

Ms. Fowler briefly explained how the Council cuts budgets and decides where the money is needed. She noted pre-budget hearings will be held this year.

Darrell Sherrard questioned why or if the board needs to approve the budget if the council can alter it. Mr. Meyer stated the Board is submitting the budget for the Department to the Council.


Kathryn Raines proposed a motion to submit the budget to the council, it was seconded and passed.

Mr. William Bridges appeared before the Board to discuss open burning regulations. He had a fire in a pile of debris on his property which the Sellersburg Fire Department extinguished. The Health Department was asked to respond to the fire and forwarded a copy of the incident report to the Indiana Department of Environmental Management. Mr. Bridges did not have a variance to open burn and the department followed normal procedure in referring the fire to the Indiana Department of Environmental Management. Mr. Bridges indicated he would confer with the department in the future on a possible means to properly dispose of various types of debris from land clearing operations.

Mr. Kizer reported on fiscal estimates of a pending lawsuit. He estimated discovery in the case would run 30-40 hours. If the case went to trial, additional hours would be added. The Board approved the payment of Mr. Kizer's claim for additional fees that were necessary to represent the Board at an unemployment hearing. Mr. Meyer asked Ms. Fowler if including an additional amount for pending litigation in the proposed budget was indicated. Ms. Fowler stated that the council would probably not approve money for a potential lawsuit. Once the suit is filed, the Health Department could ask for an additional appropriation. Ms. Fowler requested the board consider the possibility of supporting the formation of a County attorney office.

Dr. Kemper asked how the prenatal program was progressing. Dr. Burke updated the board about the prenatal clinic and the immunization, Sexually Transmitted Disease, and High Risk Infant programs. He also reported on the progress of the indigent care coalitions' primary care clinic.

The next board meeting was changed to July 17, 1991, at 6:30 P.M., in the hospital private dining room. There being no further business, the meeting was adjourned at 7:55 P.M.


James Howard, D.V.M., Chairman

CLARK COUNTY BOARD OF HEALTH
MINUTES, JULY 17, 1991

The Clark County Board of Health held its July 17, 1991 meeting in the dining room of Clark Memorial Hospital.

Present at the meeting were Board members Dr. James Howard, Joseph Jacobi, Kathryn Raines, Kevin Guernsey, Dr. Joe Carr, and Darrell Sherarrd.

Also present were Dr. Kevin Burke, Health Officer, Mike Meyer, Administrator, and James Kizer, Board Attorney.

Dr. Howard called the meeting to order at 6:35 P.M. Minutes from the previous meeting were read and approved.

Mr. Powell was not present to explain his problem with Ivy Tech. Mr. Meyer explained that Mr. Powell's lateral lines are on Ivy Tech's property and after excavation there is the possibility his system could fail. The property involved was donated to Ivy Tech and they are planning to use this space at a later date and the lateral field would hinder this development. The board requested staff to coordinate a resolution to the problem if possible. Staff will continue to monitor for system failure at properties adjoining Ivy Tech property.

Mr. Kizer presented the situation of Mr. James' non-compliance with septic regulations. His deadline is August 1, 1991. Dr. Burke expressed an opinion that the Health Board should remain firm. Dr. Howard and Dr. Carr both agreed that the situation should not be put off hoping for compliance at some time in the future. Kevin Guernsey made that motion that Mr. James be notified that we will pursue court proceedings on August 1, 1991. Seconded by Kathryn Raines. Passed unanimously.

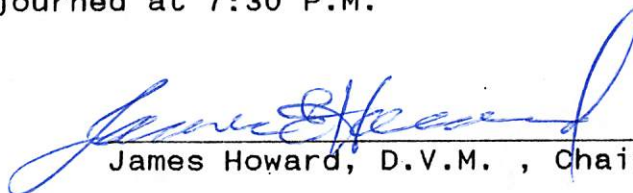
Mike Meyer notified the board that county jail prisoners are working with mosquito control to clear specific ditches and alleviate mosquito breeding sites.

Mr. Jacobi asked Mr. Meyer to summarize burning laws.

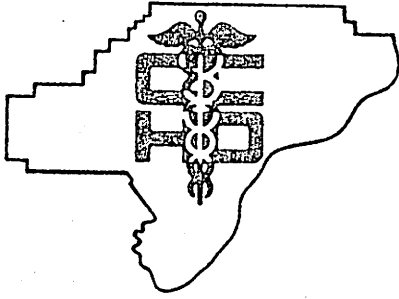
Dr. Burke stated that we have stopped annual TB screening for school employees. Our new policies are now in line with state and national recommendations.

Dr. Burke reported on new legislation signed by the governor that reestablished staggered terms for board members and defined who can serve on the board.

The next board meeting will be October 9, 1991, at 6:30 P.M., in the private dining room. There being no further business, the meeting was adjourned at 7:30 P.M.



James Howard, D.V.M. , Chairman



Clark County Health Department

1216 AKERS AVENUE
JEFFERSONVILLE, INDIANA 47130
812-282-7521

TO: BOARD OF HEALTH MEMBERS
FROM: DR. KEVIN BURKE
DATE: SEPTEMBER 4, 1991
RE: EXECUTIVE SESSION

The Clark County Board of Health will meet in executive session for discussion of strategy with respect to litigation that has been threatened specifically in writing against the Board. This session will take place at 6:00 P.M. Tuesday September 10, 1991 at the Health Department office at 1216 Akers Ave. Jeffersonville, Indiana.

AGENDA

1. CALL TO ORDER
2. DISCUSSION OF LITIGATION
3. ADJOURN

MINUTES

The Clark County Board of Health held an executive session at 6:00 P. M. September 10, 1991 at the Health Department 1216 Akers Ave. Jeffersonville ,In.

Present at the meeting were Board members Dr. James Howard, Joe Jacobi, Dr. Charles Kemper, Kevin Gurnsey, Kathryn Raines, Dr. Joe Carr and Darrell Sherrard.

Also present were Dr. Kevin Burke Health Officer and Mike Meyer Administrator.

The meeting was called to orded at 6:00 P.M. The only item discussed was pending litigation against the Board. The meeting was adjourned at 7:00 P.M.


Dr. James Howard, Chairman
Clark County Board of Health

MINUTES

The Clark County Board of Health held an executive session at 8:10 P.M. October 30, 1991 in the Education House of Clark Memorial Hospital, Jeffersonville Indiana.

Present at the meeting were Board members Dr. Joe Carr, Dr. Charles Kemper, Kevin Gurnsey, Dr. James Howard and Joseph Jacobi.

Also present were Dr. Kevin Burke, Mike Meyer and Jim Kizer.

The meeting was called to order at 8:00 P.M. The only item discussed was pending litigation against the Board. The meeting was adjourned at 8:30 P.M.


Dr. James Howard, Chairman
Clark County Board of Health

CLARK COUNTY BOARD OF HEALTH

MINUTES, OCTOBER 30, 1991

The Clark County Board of Health held its regularly scheduled quarterly meeting October 30, 1991, in the Education House, adjacent to the hospital's main parking lot, 411 West 13th Street, Jeffersonville, IN.

Present at the meeting were Board members Dr. Joe Carr, Dr. Charles Kemper, Kevin Guernsey, Dr. James Howard, and Joseph Jacobi.

Also present were Dr. Kevin Burke, Health Officer, Mike Meyer, Administrator, and James Kizer, Board Attorney.

Chairman Dr. Howard called the meeting to order at 6:35 P.M. Minutes from the previous meeting were read and approved with corrections.

Mr. Meyer and Dr. Burke explained the revisions in the TB regulations. These revisions will put us more in line with CDC regulations. New Students and all 15 year old students will be screened. In the past six years no students have been found to be positive and no new adults positive.

The new wording will allow us to adjust policy as new regulations come from CDC. Dr. Kemper moved to amend and Dr. Carr seconded. The motion passed unanimously. Proof of publication was noted.

Wes Porter was present and explained a problem with installation of his septic system. He would like to install an experimental system in preference to a pump type system as specified by the Health Department. Mr. Porter stated that he is now living in a house adjacent to this property that has a conventional system that shows no signs of failure. Dr. Burke explained a system can be failing and show no signs on the surface of the ground. Mr. Jacobi questioned the difference in elevation from Mr. Porter's house to the septic field. Kevin Guernsey suggested that a wider scale boring be done by a soil scientist. Dr. Burke stated that decisions are based on soil characteristics and to do multiple borings require a soil scientist.

Mr. Isgrigg has designed a system for Mr. Porter that will have to have site approval. Mr. Meyer asked if Mr. Porter was insinuating that Mr. Haddon (an employee of CCHD) was discriminating against him. He said that was his feeling. A soil scientist was again suggested by Mr. Meyer and Kevin Guernsey. Dr. Burke also brought up the fact neither a building permit nor a septic tank permit have not been issued even though the house is four weeks from occupancy. Mr. Porter said he was stuck in the middle. He couldn't get a building permit without the septic system.

Mr Meyer stated that since he was having a difference of opinion with Mr. Haddon, Mr. Scott Wilson would take over and do additional borings within the next few days. Mr. Porter requested a holding tank until the issue could be resolved. Dr. Burke did not want to set a precedent by letting him have a holding tank, especially since the house is existing illegally and no permit for an on-site system has been issued.

OLD BUSINESS:

Mr. Meyer discussed the status at Charlestown High School concerning mold. Humidity (70%) and co_2 levels were found to be elevated. Work will be done at the school to lower the humidity, clean rooms, correct airflow and change filters. More frequent maintenance and housekeeping schedules have been initiated. Follow-up testing will be conducted after mechanical problems are addressed by the school corporation.

Meeting dates were discussed and Mr. Meyer was addressed to set dates for meetings in the following months:

January
April
JULY
OCTOBER

To comply with a new state law, the Board of Health must be reappointed January 1, 1992 by the commissioners.

Mr. Dan James complied the day before his deadline by installing a mound system.

Ivy Tech has agreed to hold on development on their property were Mr. Powell's lateral field is located until summer of 1992 when the issue of sewer availability to the area has been determined.

NEW BUSINESS

Dr. Burke stated CCHD has volunteered the use of some space for medical care for the indigent. About fifty private physicians have expressed an interest in helping. This will not be competition for the private physicians because the clients are not insured and otherwise unable to pay for care. The clinic is scheduled to open in late January 1992.

There being no further business, the meeting was adjourned at 8:05 P.M.

James Howard, D.V.M.
Clark County Board of Health