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MORGAN COUNTY HEALTH DEPT.

# MORGAN COUNTY BOARD OF HEALTH MEETING MINUTES
## August 20, 2026

## CALL TO ORDER:

At 7:55 a.m. President Elaine Flesher called the meeting to order.

## EXECUTIVE SESSION:

At 7:56 a.m. Dr. Murrell made a motion to go into Executive Session to discuss personnel appointment, employment, dismissal, discipline, promotion, demotion and/or compensation. Mrs. Smith seconded the motion. Roll call vote:

Mrs. Flesher – aye; Mrs. Smith – aye; Dr. Murrell – aye; Dr. Swingle – aye

The Board returned to regular session at 9:00 a.m.

## PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Mrs. Flesher with all participating.

## ROLL CALL:

Mrs. Flesher called the roll as follows:

President Elaine Flesher – Here; Mrs. Rhonda Smith – Here; Dr. Barbara Murrell – Here; Dr. Kylee Swingle – Here. Michael Huck was absent.

## STAFF PRESENT:

Dr. Clark, Medical Director/Health Commissioner; Jeff Michaels, Administrator; Lynn Mercer, Accreditation Coordinator; Peydon Kincaid, Fiscal Specialist; Jennifer Arnold, Director of Nursing; Samantha Iacone, Grant Coordinator; Andrew Herbst, EHSIT; and Dennis Copeland, EH Technician

## GUESTS:

Steve Best, County Commissioner; Chris Penrose; Bob Sears, Plumbing Contractor; Bryson Wakeley, SEOBD; and Randy Shook, Chesterhill Village Administrator

Mrs. Flesher asked everyone to go around the table and introduce themselves.

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## READING AND APPROVAL OF MINUTES:

Minutes of the July 16th Regular Session were reviewed. Dr. Murrell made a motion to approve the minutes with corrections. Dr. Swingle seconded the motion. All in favor. Motion carried.

## PUBLIC PARTICIPATION

**Commissioner Best** reported that everyone has been busy with flood clean-up. He has noted before that the health department needs to get in front of the public more. Having Dennis Copeland help with clean-up and posting that on Facebook is a good way to showcase what the health department does.

Commissioner Best reported that the commissioners have purchased a building to expand and make room for the County Prosecutor. Mrs. Flesher asked where the Senior Center was being moved to. Commissioner Best stated that the commissioners received considerable push back from the Senior Center Director so, for now, they are staying where they are.

Jeff Michaels asked Commissioner Best when commissioners will be meeting with Eric Leach to discuss Congressional Spending Funds. Mr. Michaels would like to share the health department's needs with Mr. Leach. Commissioner Best was uncertain when that meeting would take place, but welcomed Mr. Michaels and the Board of Health to come to the commissioner's meeting when it takes place.

Dennis Copeland interjected that people with flood damage are wanting to sign over their trailers and belongings so they don't have to clean it up. Mr. Copeland said he spoke to Steve Redrup and Mr. Redrup contacted someone to haul away flood damaged belongings so people don't just leave them and cause a future clean-up problem.

Randy Shook, Chesterhill Village Administrator, addressed the board and said he received a nuisance complaint regarding property owned by Katherine Nolan. Ms. Nolan has erected several small sheds on the property that are not habitable. There is no running water or sewer. Ms. Nolan has been seen defecating on the property. Mr. Shook is requesting that the health department do an inspection. If the health department refuses, Mr. Shook said he will contact the Ohio Department of Health. Mr. Shook stated that on August 13th he filed a formal nuisance complaint form with the health department. The Village of Chesterhill has no way to enforce ordinances and has no jurisdiction to address nuisance complaints. Per the Ohio Revised Code, enforcement of nuisance complaints is the health department's responsibility. Dr. Clark noted that the house that was on the property was condemned and the building razed. Unless Ms. Nolan builds another house on the property, the health department cannot enforce the installation of a sewage system.

Mr. Michaels asked what Mr. Shook's expectation is. Mr. Shook said his expectation is that the health department inspect the property as soon as possible to address the nuisance complaint per ORC 3707.1. The Village of Chesterhill has no ordinances, no enforcement authority and does not require permits. That all falls on the health department. Mr. Shook said he needs a written response from the health department and reiterated that he will contact the Ohio Department of Health if he does not receive something from the Morgan County Health Department.

Dr. Swingle inquired about the timeline for the complaint Mr. Shook received. The complaint is dated August 1st, but the health department did not receive notice of the complaint until August 13th. Mr. Shook said the complaint was originally filed online so he did not receive it himself until August 13th.

Mrs. Flesher said this is the first board meeting since Mr. Shook received the complaint. No one said the health department would not respond to his request. This is the first they have heard of it. The health department will do an inspection and will also contact legal counsel. The board has no desire to go through another court battle.

Mr. Shook apologized for going into attack mode, but he is very frustrated. This situation was never resolved five years ago because the health department never followed up. Mrs. Flesher stated again that this recent complaint is the first the board has heard anything in five years. The board will take a look at the situation, but it was just brought to their attention this morning.

Dr. Clark said Ms. Nolan will say she did not build a house on the property. She put up a shed. If she is defecating on her own property that is not a legal issue. If she is defecating on her neighbor's property, the neighbor could file a legal complaint. He asked if Ms. Nolan has been paying taxes on the property. Mr. Shook said she has not. Commissioner Best said when delinquent taxes are reviewed it will eventually be transferred to Land Bank.

Mrs. Flesher reassured Mr. Shook that the health department will look into the situation. The Board will ask Rick Welch to talk to the Chesterhill Village Solicitor as well.

**Randy Shook left the meeting at 9:44 a.m.**

Chris Penrose addressed the Board to request a variance to install a sewage treatment system on the site of a new home he is building on his property. A variance is necessary because part of this system will be installed under a driveway due to having no other route. Mr. Michaels explained that the part of the system that will be installed under the driveway will contain schedule 80 piping, and will extend at least 10 feet on each side of the driveway. The property location is 1155 Bald Eagle Rd.– Stockport, OH 43787. Mrs. Smith asked if the driveway will be concrete. Mr. Penrose has not decided what type of driveway yet. Dr. Clark asked how close the nearest property is. Mr. Penrose replied that it is over a mile away. Dr. Clark said in that case, it will not be a problem.

Mrs. Smith made a motion to approve the variance request submitted by Mr. Chris Penrose. Dr. Swingle seconded the motion. Roll call vote:

Mrs. Flesher – aye; Mrs. Smith – aye; Dr. Murrell – aye; Dr. Swingle – aye

**Mr. Penrose left the meeting at 9:54 a.m.**

Mrs. Flesher asked Mr. Michaels to provide an explanation regarding the situation with Bob Sears. Mr. Michaels shared that he received a formal complaint from Mr. Sears regarding someone using his plumbing permit without his permission. Bryson Wakeley oversees commercial plumbing permits. Mr.

Wakeley called Mr. Sears to ask him when he wanted to meet regarding a specific plumbing job. Mr. Sears had no knowledge of the job. Tim Louis, the McConnelsville Village Administrator, pulled the license and falsely stated that Mr. Sears was the plumber on the job. Mr. Sears said there should be a procedure in place that requires the actual plumber to pull the permit and no one else. If an architect says there is a certain plumber of record working with them, someone should verify that with the plumber. Mr. Wakeley said it is a violation of Ohio Plumbing Laws for someone else to use a plumber's license. Dr. Murrell asked if Mr. Wakeley feels a change in the procedure will keep this from happening again. Mr. Wakeley and Mr. Sears said in addition to the procedure changes, a fine should also be imposed for not having a licensed plumber on site. Dr. Clark said the permit is void because the information provided was false. Therefore, the Village should be fined for operating without a permit. Mr. Wakeley said he believes the form already states there will be a $150 fine. Mr. Sears said if the Village has to pay a penalty, Village Council will have to approve it and will hopefully question why there is a penalty.

Dr. Swingle asked if the new procedure outlines that the plumber or the plumber's employee must come in to get the permit. Discussion took place regarding the wording of the requirement for who may obtain a permit.

Dr. Murrell made a motion that pulling plumbing permits must be done by a State of Ohio licensed plumber registered in Morgan County or their designated employee. Mrs. Smith seconded the motion. All in favor. Motion carried.

Mr. Michaels asked staff present to tell the Board what they have been working on. Samantha Iacone reported that she has been working on grants, PHEP, and Tobacco projects. She has also been working on the Adolescent Health Resiliency Grant. Jennifer Arnold reported that the clinic has been busy with back-to-school immunizations. She visited the Chesterhill Produce Auction and talked to the Amish about measles. Eight Amish individuals came in and got vaccinated yesterday. Mrs. Flesher asked if the health department only has the MMR vaccine and will that change with Robert Kennedy's recommendation. Mrs. Arnold said she still has MMR vaccine and would hate to see it separated out. Mrs. Arnold reported that she is also getting ready for the fair booth. Dennis Copeland reported that he has been getting water samples and handling nuisance complaints. There have been times when he has asked a deputy to go with him to handle a complaint. He noted that he would like to see septic permits changed like the Board is changing plumbing permits. He also shared that as he is going around the community, he sees that the community doesn't know what the health department does. They only see the negative. He does some of this work on his own time because there isn't enough staff. Andrew Herbst reported that he has been working on food inspections and doing septic designs. Mrs. Flesher noted that the designs for Mr. Penrose's septic system were very well done.

**Bryson Wakley, Bob Sears, Andrew Herbst, Dennis Copeland, Jennifer Arnold, and Samantha Iacone left the meeting at 10:31 a.m.**

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## BOARD CEUs:

CEUs will be completed online.

## EXPENSES AND BALANCES REVIEW/APPROVAL:

Mr. Kincaid reviewed the Revenue, Expense, and Statement of Cash reports. He highlighted a permit for a tattoo parlor and revenue from the PHEP and Tobacco grants. The total revenue for the month was $43,075.51. He highlighted expenses related to the Mosquito Grant, the plumbing program, and fees owed to the Public Health Accreditation Board. Total expenses for the month were $61,082.43.

Dr. Murrell made a motion to approve the Expenses and Balances. Dr. Swingle seconded the motion. All in favor. Motion carried.

**Peydon Kincaid left the meeting at 10:40 a.m.**

## OLD BUSINESS:

Mr. Michaels stated that he had previously forwarded information to the Board regarding Prosecutor Welch's progress with the Becker property. He has completed a title search and filed documents to foreclose on the property. Commissioner Best said if the county takes possession of the property, they will turn it over to Land Bank. Mr. Michaels asked when the Board of Health would get the money owed to them. Commissioner Best stated he isn't sure, but possibly when the land is sold.

## NEW BUSINESS:

Mr. Michaels discussed a bond claim case that came up. Brian Clouse and Elizabeth Cherry, whose father owns Cherry Orchard, filed a bond claim. They built a house and had a well drilled. Mount Well Drilling ran into shale and the casing now has holes in it. When it rains, bits of shale get in the drinking water. The Ohio Department of Health says the well has to be sealed. Mr. Michaels explained that in order to be a licensed contractor, the contractor has to purchase a surety bond. If the contractor does something negligent the homeowner gets some or all of the bond. The state wants a letter to Mr. Todd Mount, the contractor, placed on Morgan County Health Department letterhead because it is in the health department's jurisdiction. Mr. Michaels believes the homeowners are going to tie into the public water system instead of having another well drilled.

Mr. Michaels reiterated that the Board needs to know when Eric Leach is going to attend a commissioner's meeting to discuss congressional funding. Commissioner Best said he would try to find out what that date is.

The Board discussed a Nutrition Grant that has been applied for, but not yet granted. The local hospital system has applied for the same grant. A discussion took place regarding the concern that the Morgan County Health Department, as a smaller entity, may not be awarded the grant when in competition with a larger entity such as the hospital. Mr. Michaels has shared his concern with the Ohio Department of Health.

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Mrs. Flesher shared that Michael Huck has resigned from the Board of Health due to health concerns. An emergency District Advisory Council meeting is needed to appoint a new board member. Dr. Murrell noted that the Board would like to express appreciation to Mr. Huck for his extensive service, knowledge, and commitment to the Board of Health. It is with great regret that the Board accepts his resignation.

**Commissioner Best left the meeting at 11:00 a.m.**

## EXECUTIVE SESSION:

At 11:04 a.m. Dr. Murrell made a motion to go into Executive Session to discuss personnel appointment, employment, dismissal, discipline, promotion, demotion and/or compensation. Dr. Swingle seconded the motion. Roll call vote:

Mrs. Flesher – aye; Mrs. Smith – aye; Dr. Murrell – aye; Dr. Swingle – aye

The Board returned to regular session at 11:37 a.m. with no action taken.

## HEALTH COMMISSIONER/MEDICAL DIRECTOR REPORT: (Verbal)

## ADMINISTRATOR'S REPORT: (Handout and verbal)

## ACCREDITATION REPORT: (Handout)

## PUBLIC HEALTH NURSING AND EPIDEMIOLOGY REPORTS: (Handouts)

## ADJOURNMENT:

Dr. Murrell made a motion to adjourn at 11:38 a.m. and Mrs. Smith seconded the motion. The next Board meeting will be held Thursday, September 17th at 9:00 a.m.

Elaine Flesher
**Elaine Flesher, President**

Richard D Clark
**Dr. Richard Clark, HC/Medical Director**

Jeff Michaels
**Jeff Michaels, Administrator**