

WILL COUNTY BOARD
PUBLIC HEALTH AND SAFETY
COMMITTEE MEETING

MINUTES

January 13, 2011

8:30 a.m.

302 North Chicago Street
County Board Committee Room
Joliet IL 60432

CALL TO ORDER

Mr. Gould called the meeting to order at 8:33 a.m.

ROLL CALL

Present were Members: Babich, McPhillips, Seiler, Stewart and Gould.

Absent were Members: Argoudelis and Hart.

Also Present: County Board Chairman Jim Moustis, Karen Sorbero, John Cicero and Elizabeth Bilotta.

Present from State's Attorney's Office: ASA M. Tatroe.

PLEDGE ALLEGIANCE

Mr. Stewart led the Pledge of Allegiance.

ANNOUNCEMENTS BY THE CHAIRMAN

Mr. Gould noted that May 25 is National Missing Children's Day, and he has asked Ms. Seiler and Ms. McPhillips to work with the Sheriff to promote public awareness of the event.

APPROVAL OF MINUTES

A motion was made by Mr. Stewart, second by Ms. Seiler, to approve the minutes from the November 10, 2010 meeting. All in favor. MOTION CARRIES.

Ms. McPhillips arrived at this juncture.

OLD BUSINESS

NEW BUSINESS

Sunny Hill Replacement Hires

A motion was made by Mr. Babich, second by Mr. Stewart, to approve the hires. All in favor. MOTION CARRIES.

Update Re: Capital Rate Increase for Sunny Hill

Ms. Sorbero explained the capital rate increase would provide more reimbursement on the Medicaid rate for each resident. The amount was increased because of the renovations to Sunny Hill.

The increase is retroactive to July 1, 2010. The amount is \$9.65 per resident per day, and the payment will be approximately \$238,220. Prior to the increase, the rate was \$7.40 per resident. With the increase, the rate will be \$17.05 per resident. There is no stoppage date to the increase. On an annual basis, the revenues will be increased \$476,000.

Ms. Sorbero stated there will be a yearly opportunity each June to apply for an upgrade in the rate depending on how much renovation is done.

Revision of Resolution #85-39 Re: Nursing Home Admission Policy for Non-Will County Residents Related to Sunny Hill's Census

Ms. Sorbero indicated the change merely updates the resolution so the numbers match Sunny Hill's census rate. The change will allow a non-Will County resident to be admitted if: the total census of the nursing home is below 225 residents; there is no waiting list for Will County residents; and if the non-Will County resident was a tax payer for five years or has an immediate family member residing in Will County who is a tax payer.

Mr. Moustis arrived at this juncture.

Ms. Seiler asked if there currently was a waiting list.

Ms. Sorbero replied there is occasionally a list when someone is waiting for a bed that soon might be available. There isn't a formalized or on-going waiting list.

A motion was made by Ms. Seiler, second by Ms. McPhillips, to place a resolution on the County Board agenda revising the admission policy for non-Will County residents. All in favor.

MOTION CARRIES.

Request for Approval of Intergovernmental Agreements with: Village of Channahon; Village of Elwood; Village of Manhattan; Village of New Lenox; Village of Plainfield; Village of Symerton; and City of Wilmington for the Provision of Animal Control Services

A motion was made by Ms. Seiler, second by Mr. Stewart, to place resolutions on the County Board agenda authorizing the intergovernmental agreements with various municipalities for animal control services. All in favor.

MOTION CARRIES.

Request to Amend Sewage Treatment & Disposal Ordinance

Mr. Cicero stated every three years the staff reviews the ordinances to determine if the language should be modified or the user fees adjusted. The Board of Health adopted the changes at the November meeting.

Mr. Cicero indicated in the past some governmental agencies had been exempt from some fees related to sewage treatment and disposal. Through research, it was determined that Lake and DuPage counties don't exempt any governmental entities from their fees. There are costs associated with running this program, including testing and staff time to sample the systems. The recommendations

include eliminating the exemptions; adding a \$15 fee for reviewing applications to determine if new residential structures such as pools or decks will affect existing septic systems; and an annual licensing fee for companies pumping portable toilets. The total annual increased revenue would be \$15,000 to \$18,000.

Mr. Gould noted some municipalities such as Custer Township have tiny budgets and wondered if it would be appropriate to discontinue the exemptions.

Mr. Moustis mentioned that municipalities don't waive fees for the county. These services are provided by the county, and there are costs associated with providing the services. Perhaps a different pay structure could be created based on the municipalities' revenue, or fees might be waived for municipalities with less than \$50,000 in revenue.

Mr. Cicero stated the department wants ordinances to be consistent regarding fees.

Mr. Moustis suggested Health Department fees should be paid at the Land Use Department when other fees are paid.

Mrs. Bilotta explained the Health Department fees were related to situations where improvements such as a swimming pool, a shed or a driveway were done on a residential lot. The Health Department pulls the septic permits and checks to see if the setbacks from the new structure are from the existing septic. During construction, there must be access around the septic area. In those cases, the Health Department either does a septic verification or does a sign off.

Mr. Moustis stated he assumed the Health Department would charge the fee whenever anyone needed a sign off.

Mrs. Bilotta explained residents came to the Health Department with a triplicate form from the Building Department. A staff member from the Health Department signs the form and attaches drawings illustrating what is being built and the measurements. The information is returned to the Land Use Department.

Ms. McPhillips commented the county doesn't waive building permit fees because there is an inspection.

Mrs. Bilotta explained the text changes to the Will County Sewage Treatment and Disposal Ordinance. In chapter one, the state code was incorporated. In chapter two, some definitions were added, including one explaining portable toilets and another on soil classifiers. Minimal changes were made to chapter three other than a soil classifier would be allowed instead of a soil evaluation. Some of the soil names also were updated. In chapter four, a section from the state code was included stating if sanitary sewer was available, residents should connect.

Mr. Moustis asked how close the sewer system should be to the residential lot if connection was required.

Mr. Gould answered 300 feet.

Mr. Moustis commented in some cases, the expense could be huge.

Mr. Cicero noted the definition came from the state code and had been used in Will County for some time.

Mr. Moustis asked if the 300-foot rule had been enforced.

Mr. Cicero explained each situation was handled on a case-by-case basis. If a system is failing, raw sewage was being discharged and there were no other options, the rule would be enforced. Property owners would be required to connect to the sewer system or abandon the property. The Health Department worked with owners to find the best solution for each property.

Mr. Moustis asked the cost of the average well and septic system.

Mrs. Bilotta answered the cost ranged from \$5,000 to \$25,000.

Mr. Moustis asked if it would be \$25,000 to install a septic system and \$75,000 to connect to a sewer and water system, would the latter figure be considered cost prohibitive.

Mr. Cicero replied it would be.

Mr. Moustis suggested a good way to gauge would be to consider the cost of a septic system.

Mrs. Bilotta noted some properties might need specialized systems that can be more expensive.

Mr. Cicero commented the Health Department's role was to be as reasonable as possible while protecting the health of the public.

Mr. Moustis indicated the Health Department could establish policies without putting dollar figures in the ordinance.

Mrs. Bilotta stated the cost depended on the soil type, the size of the home, the number of bedrooms and technology. Because technology is changing, more people are choosing better systems that can be more expensive.

Mr. Gould suggested a wording change for chapter 3.1 of the ordinance. Instead of "shall not be approved" perhaps it should read "may not be approved."

Mrs. Tatroe stated she would research it.

Mr. Babich asked if there was gas or oil held in abandoned underground tanks, would the surrounding area have to be specially treated.

Mrs. Bilotta stated the contaminated soil would be removed. Those tanks must be handled in accordance with EPA regulations.

Mrs. Bilotta indicated Chapter six states new and repaired systems must be inspected. Home owners or installers may be required to have incremental inspections depending on the system and its complexities. Chapter seven includes information on portable toilet waste. Chapter eight was modified to reflect the state code on mechanical discharge systems. Chapter 11 states that home owners can repair

their own septic systems as long as it is an owner-occupied single-family dwelling. Chapter 11 also now includes language regarding businesses doing portable toilet sanitation. The Illinois Department of Public Health now requires the Will County Health Department to inspect and license those companies. Appendix A includes information on the well and septic survey. Appendix B includes an update on the soil evaluation procedures and on soil classifiers. Table one includes the updated soil categories.

Mr. Gould stated the public hearing will be held at the committee's February meeting.

Request to Amend Food Service and Retail Food Store Sanitation Ordinance as it Pertains to Farmers' Market Permits

Mr. Cicero indicated the topic was only for discussion; there were no amendments to the existing food ordinance. The ordinance was last reviewed and adopted in November of 2008. But the Health Department had been asked to consider the section on regulations and rules for farmers' markets.

Mr. Cicero stated the Temporary Food Service/Retail Food Permit of \$65 is the fee associated with farmers' markets. Following state code, the Health Department has allowed the farmers' markets to operate for 14 dates or days under one of the permits.

Mrs. Bilotta explained temporary events are held all over the county. Each one of them operates using a temporary permit. Although permits are valid for one year, temporary permits only last for 14 days. The state code defines the time span as 14 consecutive days, but the Health Department defines it as 14 operating dates. If the event runs for a longer period, the applicant must seek a new permit. Typically the temporary events are short and span a weekend. But farmers' markets and a few other events are longer.

Mrs. Bilotta advised if the vendors are preparing the food out in the field, a temporary permit is required. Others selling pre-packaged food such as Tastefully Simple or Pampered Chef required something different, so the Health Department developed the mobile pre-packaged permit. Those \$190 permits allow the vendors to move from market to market over the period of a year.

Mr. Cicero indicated there are questions about the 14-date time period of the temporary permit. Some people feel that 14 dates is not enough because some farmers' markets run from Memorial Day to Halloween. If the vendor exceeds the 14 dates, a new permit is required.

Mrs. Bilotta explained the state would not allow the Health Department to expand the temporary permit beyond the 14 days. Other counties have created a seasonal permit for fixed locations for a certain number of months.

Mrs. Bilotta explained the state's guidelines for farmers' markets do not require a permit for the sale of produce. Senate Bill 3977 potentially would exempt some vendors from requiring permits but did not make it through the veto session.

Mr. Cicero stated the Health Department felt there were options available under the current ordinance.

Mr. Moustis stated he had mixed feelings and wondered why the vendors should be treated differently than bricks-and-mortar retailers. A conventional retail outlet pays more for a permit than a vendor does. Yet the Health Department probably devotes more time and resources to the vendors.

Mrs. Bilotta agreed. The Health Department goes multiple times to the 12 different farmers' markets held in the county during the season because there are many vendors and the events are held on different dates.

Mr. Moustis stated the 14-day permit was acceptable.

Mrs. Dralle noted Mayor Roger Claar of Bolingbrook called her last year and asked if it would be possible to have a 20- or 25-day permit.

Mr. Cicero explained the state would not allow a longer time frame for a temporary permit.

Mrs. Dralle noted Kane County offered a six-month permit and asked if Will County could do the same thing.

Mrs. Bilotta stated the Health Department would have to do some research.

Mr. Moustis asked how many inspections were done yearly at conventional retail stores.

Mrs. Bilotta stated the Health Department inspected the high-risk facilities four times a year; the medium-risk facilities were inspected twice a year.

Mr. Moustis noted the bricks-and-mortar retailers pay \$550 a year for a permit and the Health Department inspects four times a year – but the farmers' markets require many more inspections and the fees don't cover the cost of the manpower.

Mrs. Seiler asked for information at the next meeting about commercial properties that have been contaminated and also are for sale. Is the Health Department informed when that occurs? She also asked for an update on the flu cases in Will County.

Mr. Cicero replied there weren't a lot of cases and interest in flu vaccines had been low as well.

ADJOURNMENT

A motion was made by Mr. Babich, second by Ms. McPhillips, to adjourn the meeting at 9:40 a.m.
All in favor.

MOTION CARRIES.