

These minutes are not the official record until final approval at the next meeting and all minutes may be changed until officially approved.



Jo Daviess County Health Department • 9483 US Rt. 20 West • P. O. Box 318 • Galena, Illinois 61036

**Jo Daviess County Health Department
Board of Health Meeting
Jo Daviess County Health Department Conference Room
Thursday, October 1, 2020 @ 7:00 pm**

MINUTES

This meeting was also hosted virtually via Zoom for any members of the public wishing to attend.

1. **Call to Order:** President Merri Berlage called the meeting to order at 7:00 pm.
2. **Roll Call:** Members present: Merri Berlage, Don Hill, Hesper Nowatzki, and Lisa Haas.
Members present electronically: Peg Dittmar and Tracy Bauer. A quorum was established
Member not present: Dr. Barbara Kepner.
Staff present: Sandra Schleicher, Chad Olson, and Marcia Christ
Others present: Troy Potter and Brandon Behlke
Others present electronically: Scott Toot, County Board Chair, and other members of the public
3. **Approval of Minutes**
 - a) **Minutes from the September 2, 2020 Board of Health Meeting:** Lisa Haas made a motion to approve the Board of Health meeting minutes; Don Hill seconded the motion. All were in favor, motion carried.
4. **Citizens' Comments:** Merri Berlage read the following citizen comments submitted by Beth Baranski; any related documents that were included along with this statement will be attached at the end of the meeting minutes.

October 1, 2020

Dear Board of Health Members –

I am writing to you again about concerns related to the land application of domestic septage in Jo Daviess County. In spite of your recent votes, it is my hope that you will consider taking this matter up at some point and recommending a discontinuation of this practice to the county board. In the meantime, I will provide pertinent information as available to be read into your minutes, and appreciate this opportunity.

I felt there was some confusion at your September 2, 2020 meeting regarding who is adopting the practice of land applying domestic septage in our county. Please see the attached responses to my recent FOIA requests related to this matter.

The responses to these FOIA requests (and Nancy White's follow-up confirmation) suggest, in summary, that as of September 2, 2020, there were 11 septic plumbers/haulers licensed to operate in Jo Daviess County. According to the information provided by the Health Department, only one of these septage haulers, listed as "Mike Sproule, Mike & Nick Sproule Construction," is land applying domestic septage on agricultural land under Jo Daviess County ordinance Title 5, Chapter 8, Article A: "Disposal of Domestic Septage." All other active haulers are disposing of waste according to one of the other four approved methods in the county. Each of these four alternative methods involve discharge to IEPA- approved facilities (municipal sanitary sewer systems, sludge lagoons or sludge drying beds, incinerator devices, or sanitary landfills).

Domestic septage is defined in the Jo Daviess County ordinance as "Liquid or solid material removed from a septic tank or similar system that receives only household, noncommercial, nonindustrial waste as defined in 40 CFR part 503." Other haulers do land apply biosolids. Biosolids are the material that has been treated at a wastewater treatment plant under EPA regulation and monitoring.

Thank you for the opportunity to clarify these important points.

5. Financial Reports: Public Health fund, Public Health Capital Investment fund, Animal Control fund: August 2020 budget comparison reports were presented for review and discussion.

6. Unfinished Business

- a. **Discussion and possible action regarding isolation and quarantine ordinance**
Following board member review and discussion of the drafted ordinance as presented; Don Hill made a motion to accept the Isolation and Quarantine Ordinance with John Hay's approval and review of the 15-day notice; seconded by Lisa Haas. The motion carried by voice vote; Ayes: 5, Nays: 1 - Merri Berlage.
- b. **Discussion and possible action to approve amended Public Health Fund (003) and Catastrophic Fund (046) FY2021 Budgets, and move forward to the Joint Committee Budget Meeting.**
 - Public Health Fund 003; Following review and discussion of the budget revisions, Lisa Haas made a motion to approve the amended FY2021 PH Fund 003 budget as presented and move forward to the Joint Committee Budget Meeting; seconded by Hesper Nowatzki. All were in favor, the motion carried.

- PH Catastrophic Fund 046; Following review and discussion of the budget revisions, Don Hill made a motion to approve the amended FY2021 PH Catastrophic Fund 046 and move forward to the Joint Committee Budget meeting; seconded by Hesper Nowatzki. All were in favor, the motion carried.

7. New Business

a. **Opening and reading of sealed bids for Elizabeth properties**

Merri opened three sealed bids received; she read who had submitted the bids and for what property, and the amount of the bids submitted. It was determined that two of the bids received did not meet the minimum bid requirement.

b. **Discussion and possible action to approve sealed bids for sale of Elizabeth properties:**

Lisa Hass made a motion to approve the sealed bid submitted for lots 07-001-125-00 and 07-001-126-00 in the amount of \$30,000; Hesper Nowatzki seconded the motion. All were in favor, the motion carried.

Hesper Nowatzki made a motion to re-post the request for bids for lots 07-001-127-00 and 07-001-128-00 at the same minimum requirement of \$118,000, and to present at the November meeting; Lisa Haas seconded the motion. All were in favor, the motion carried.

c. **Discussion and possible action regarding Environmental Health fees**

Sandra stated that following a 2017 fee study, the Board of Health had approved fee increases over the next three years, at 50% per year. Lisa Haas motioned to not institute the raise of EH fees at this time due to the economy and to request 50% reimbursement through the counties small business program; Don Hill seconded the motion. Merri Berlage, Peg Dittmar, Don Hill, Hesper Nowatzki, and Lisa Hass voted in favor of the motion, Tracy Bauer chose to abstain. The motion carried.

d. **Discussion and possible action regarding Animal Control agreement with villages:**

Chad Olson explained that villages who contract with Animal Control to pick up an unlimited number of stray dogs is currently charged a \$900 annual fee and requested they consider charging a per dog rate in order to cover all related expenses. Following further discussion, Hesper Nowatzki motioned to approve charging per dog @ \$300 each; seconded by Peg Dittmar. All were in favor, the motion carried.

e. **Discussion and possible action regarding purchase of fit testing machine.**

Board members reviewed quotes that Sandra had received for the purchase of a fit testing machine, considering the warranty, maintenance, and training that would be included in the cost. Following further discussion, Tracy Bauer motioned to approve the quote from TSI in the amount of \$18,080.00; seconded by Hesper Nowatzki. All were in favor, the motion carried.

8. **Closed Session:**

At 8:17 pm Merri Berlage moved to go into closed session reading the statement below; Lisa Haas made a motion to enter into closed session; seconded by Hesper Nowatzki. All members were in favor, the motion carried.

Voice roll call was taken; Merri Berlage, Peg Dittmar, Don Hill, Hesper Nowatzki, Tracy Bauer, and Lisa Haas, were present along with Sandra Schleicher, and Marcia Christ. Chad Olson and Brandon Behlke left the meeting.

- a) *Purchase/lease property section 2(c)5 "The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired."*

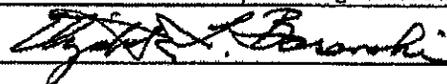
At 8:45 pm Hesper Nowatzki made a motion to return to open session, seconded by Peg Dittmar. All were in favor, the motion carried.

Voice roll call was taken; Merri Berlage, Peg Dittmar, Don Hill, Hesper Nowatzki, Tracy Bauer, and Lisa Haas, were present along with Sandra Schleicher, and Marcia Christ.

- 9. Possible action as a result of closed session:** No action was taken as a result of closed session.
- 10. Administrator's Comments:** Sandra reported the number of active Covid cases and the number in quarantine; stating there is definitely an increase. Sandra gave new employee updates, discussed mitigations to begin on Saturday, and reported on preparation for mass vaccination.
- 11. President's Comments:** Merri reported she had attended a Mayor's meeting where there was discussion on how Covid is affecting local businesses.
- 12. Board Member Comments:** no additional comments
- 13. Citizen's Comments:** no additional comments
- 14. Next Scheduled Meeting Date:** November 4, 2020 @ 7:00 pm
- 15. Adjourn:** Hesper Nowatzki made a motion to adjourn the meeting at 9:09 pm, seconded by Don Hill. All members in favor, the motion carried.

Jo Daviess County, Illinois
REQUEST FOR PUBLIC RECORDS
Under the Illinois Freedom of Information Act (FOIA)

**** Note to Requestor: Retain a copy of this request for your files. If you eventually need to file a Request for Review with the Public Access Counselor, you will need to submit a copy of your FOIA request. ****

Requestor's name Elizabeth L. Baranski	Telephone # 815-777-9419
Address 1015 South Bench Street	Cell phone # 563-580-6192
City State ZIP Galena Illinois 61036	E-Mail address beth@bhms-arch.com
Do you wish to inspect or receive a copy of the requested records? Inspect <input type="checkbox"/> Copy <input checked="" type="checkbox"/>	
If requesting a copy, what format (paper or electronic -- if feasible)? <u>electronic</u>	
Which Jo Daviess County office/department are you requesting records from? <u>Health Department</u>	
Records requested: <i>*Provide as much specific detail as possible so the public body can identify the information that you are seeking. You may attach additional pages if necessary.</i> A list of septage haulers licensed to operate in Jo Daviess County, Illinois, as of September 2, 2020.	
Is this request for a commercial purpose? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>(It is a violation of the Freedom of Information Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the public body. 5 ILCS 140/3.1(c))</i>	
<ul style="list-style-type: none"> - Please complete the form and mail, fax, email or hand deliver directly to a FOIA officer in the department for which the records are being sought. To submit this form electronically you must save it to your computer, digitally sign the document, then email it to the appropriate department. - Copy fees: For black and white, letter or legal sized copies, the first 50 pages are free, any additional pages will be charged at \$0.15 per page. Color and abnormal size copies will be charged the actual cost of copying. - Other fees may apply for the actual cost for reproducing records but shall not include personnel costs 	
Signature of the requestor <u></u>	Date <u>September 8, 2020</u>
FOR OFFICE USE ONLY:	
Date request received: <u>9/8/20</u> Date response due: <u>9/15/20</u>	
<small>Responses are due within 5 business days after receipt of the request unless the time is properly extended under Section 3(e) of the Act (5 ILCS 140/3) Responses to requests for records to be used for a commercial purpose are due within 21 working days after receipt as defined in Section 3.1 of the Act (5 ILCS 140/3.1)</small>	
FOIA officer responsible for the request: <u>Nancy White</u> Date response sent: <u>9/10/20</u>	
Are the requested records exempt under FOIA and therefore the request is denied? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Description of records provided: <u>List of Licensed septic pumpers/haulers in Jo Daviess Cty</u>	
Fees that apply (if applicable): <u>n/a</u>	
Date fee payment received: _____ Amount: \$ _____ Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check # _____	
Amount of staff time spent responding to this request: <u>.25</u>	



Public Health
Prevent, Promote, Protect.

JO DAVIESS COUNTY HEALTH DEPARTMENT
9483 US RT 20 W - PO BOX 318 - GALENA, IL 61036
PHONE 815-777-0283 FAX 815-777-2977

LICENSED SEPTIC PUMPERS/HAULERS

EAST DUBUQUE 61025

JERRY OVERTURF
SCHMALZ SEPTIC TANK
18363 US RT 20 W
(815) 747-3939

FREEPORT

LINDSAY MCKEE
FREEPORT SEPTIC SERVICE
216 RINK RD
(815) 235-4515

GALENA 61036

MIKE SPROULE
MIKE & NICK SPROULE CONSTRUCTION
11471 INDUSTRIAL DR/BOX 6161
(815) 777-2499

ORANGEVILLE 61060

TROY HANSEN
DASH'S MODERN PUMPING SERVICE
10361 N HENDERSON RD
815-789-4050

MILLEDGEVILLE, IL 61051

WAYNE GOELNER
HOLM SEPTIC PUMPING
209 HAGER AVE/PO BOX 308
(815)-244-1097

PORTABLE SEPTIC PUMPER

GALENA 61036

Corey Kaiser
Tri-State Porta Potty
10049 W Furlong Rd
(815) 499-1210

DUBUQUE, IA 52001

TRIPLE J SEPTIC
JAMES ARTHOFER
375 O'NEIL ST
(563) 582-1025

KEN WIEZOREK

WELU PUMPING SERVICE
1685 CENTRAL AVE
(563) 588-1142

DICKEYVILLE WI 53808

JUSTIN MAYER
KRUSER SEPTIC SERVICE INC
645 WEST MAIN ST
(808) 568-3000

SOUTH WAYNE 53587

JEFFREY MONSON
MONSON SEPTIC PUMPING
1001 PARK ST
(808)968-3401

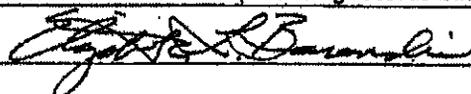
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Records requested: <i>*Provide as much specific detail as possible so the public body can identify the information that you are seeking. You may attach additional pages if necessary.</i> A list of septage haulers land-applying domestic septage on agricultural land under Jo Daviess County ordinance Title 5, Chapter 8, Article A: "Disposal of Domestic Septage" as of September 2, 2020.	
Is this request for a commercial purpose? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>(It is a violation of the Freedom of Information Act for a person to knowingly obtain a public record for a commercial purpose without disclosing that it is for a commercial purpose, if requested to do so by the public body. 5 ILCS 140/3.1(c))</i>	
<ul style="list-style-type: none"> - Please complete the form and mail, fax, email or hand deliver directly to a FOIA officer in the department for which the records are being sought. To submit this form electronically you must save it to your computer, digitally sign the document, then email it to the appropriate department. - Copy fees: For black and white, letter or legal sized copies, the first 50 pages are free, any additional pages will be charged at \$0.15 per page. Color and abnormal size copies will be charged the actual cost of copying. - Other fees may apply for the actual cost for reproducing records but shall not include personnel costs 	
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FOR OFFICE USE ONLY:	
Date request received: <u>9/8/20</u> Date response due: <u>9/15/20</u> <small>Responses are due within 5 business days after receipt of the request unless the time is properly extended under Section 3(e) of the Act (5 ILCS 140/3) Responses to requests for records to be used for a commercial purpose are due within 22 working days after receipt as defined in Section 3.1 of the Act (5 ILCS 140/3.1)</small>	
FOIA officer responsible for the request: <u>Nancy White</u> Date response sent: <u>9/10/20</u>	
Are the requested records exempt under FOIA and therefore the request is denied? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Description of records provided: <u>List of licensed septic pumpers in Jo Daviess County</u>	
Fees that apply (if applicable): <u>n/a</u>	
Date fee payment received: _____ Amount: \$ _____ Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check # _____	
Amount of staff time spent responding to this request: <u>.25</u>	



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1685 CENTRAL AVE
(563) 588-1142

DICKEYVILLE WI 53803

JUSTIN MAYER
KRUSER SEPTIC SERVICE INC
845 WEST MAIN ST
(608) 568-3000

SOUTH WAYNE 53587

JEFFREY MONSON
MONSON SEPTIC PUMPING
1001 PARK ST
(608) 968-3401

PORTABLE SEPTIC PUMPER

SOUTH WAYNE 53587

JEFFREY MONSON
MONSON PORTABLE RESTROOMS
1001 PARK ST
(608) 968-3401

From: Beth Baranski [mailto:beth@bhms-arch.com]
Sent: Thursday, September 24, 2020 8:10 AM
To: White, Nancy <nwhite@jodaviess.org>
Cc: Schleicher, Sandra <:sschleicher@jodaviess.org>; Toot, Scott <stoot@jodaviess.org>; Reimer, Dan <dreimer@jodaviess.org>; Hay, John <jhay@jodaviess.org>
Subject: Re: FOIA Requests

Hello, Nancy -

Thank you for your replies to my FOIA requests.

In regards to the request for "A list of septage haulers land-applying domestic septage on agricultural land under Jo Daviess County ordinance Title 5, Chapter 8, Article A: "Disposal of Domestic Septage" as of September 2, 2020," you provided a list of 11 pumpers/haulers with an asterisk hand-drawn next to one, Mike Sproule, Mike and Nick Sproule Construction (attached).

I would like to confirm my interpretation that the hand-drawn asterisk on the list of 11 licensed septic pumpers/haulers is meant to indicate that as of September 2, 2020, Mike Sproule/Mike and Nick Sproule Construction was the only licensed septic pumper/hauler in Jo Daviess County land-applying domestic septage on agricultural land.

Thank you, in advance, for this clarification.

Sincerely,

--- Beth Baranski
563/580-6192

From: White, Nancy <nwhite@jodaviess.org>
Sent: Thursday, September 24, 2020 8:16 AM
To: Beth Baranski
Subject: RE: FOIA Requests

Yes.

Nancy E White
Administrative Assistant
Phone (815) 777-0283
Fax (815) 777-2977
nwhite@jodaviess.org

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