

Trumbull County Board of Health – Special Meeting
April 6, 2018 – 1:30 PM
176 Chestnut Ave. NE * Warren, Ohio

BOARD MEMBERS PRESENT: Thomas Borocz
Gregory Dubos
Dr. Harold Firster
Kathy Salapata, RN
John Messersmith, President Pro Tempore
Robert Biery, Jr., President

STAFF: Frank Migliozi, MPH, REHS/RS, Health Commissioner
Kristofer Wilster, MPH, REHS/RS, Director of Environmental Health
Kevin Francis, RS, Public Health Sanitarian
Johnna Ben, Administrative Secretary

OTHERS: Atty. Robert Kokor, Legal Counsel

MINUTES

I. The meeting was called to order and the Pledge of Allegiance was said.

II. Adoption of Agenda: *MOTION: 18-45* made by Mr. Messersmith, second by Mr. Borocz to adopt the agenda as presented.

Roll Call Vote:

Mr. Borocz – Yes
Mr. Dubos – Yes
Dr. Firster - Yes
Mrs. Salapata – Yes
Mr. Messersmith – Yes
Mr. Biery – Yes

Motion carried.

III. New Business: A. Lafarge 2018 C&DD License – Reconsideration of License Condition – Ceasing of All Rotary Dumping, Grappling & Vehicle Dumping, Etc. When There are Sustained Winds of 15 MPH – Mark Schmidt, Hans Schrama & Jullian Eberly were present representing Lafarge. The Board of Health imposed the aforementioned special condition on Lafarge’s 2016 C&DD license; however, at the time, the Ohio EPA gave no assistance on this special condition and the health department relied upon Bill Makosky, from Lynn, Kittinger & Noble, to come up with the 15 MPH requirement. Since that time, the facility has experienced some unconsidered complications from the imposition of the special condition placed on their license, and are requesting reconsideration.

A presentation was done for the Board by Mark Schmidt, which showed that the facility has had to close and cease production 12 times this year. On the closed days, Lafarge entirely lost the trucking revenues, as these trucks must find another disposal facility in order to begin their return trip to get their next load. The closings are causing service and scheduling problems for Lafarge's rail-based customers also. In addition to the lost revenue, the unscheduled closings have caused logistical difficulties in that four of Lafarge's largest customers indicated that they may cease utilizing Lafarge if the unpredictable closings continue. After a presentation by Mark Schmidt, Mr. Schmidt stated that Lafarge was requesting an increase from 15 MPH to 20 MPH in the special condition.

Mr. Wilster stated that he had spoken with the Ohio EPA, and they felt that it was reasonable to change the wind requirement on a three-month trial basis, and then review the situation. Mr. Wilster also stated that he did not remember the last time he had received a complaint about blowing debris. Mr. Dubos questioned if the health department has received complaints before the wind restriction had been imposed. Mr. Wilster responded that, to his recollection, he had not, it was just people at the meeting who spoke about debris.

Mr. Migliozi stated that the major complaints that had been received had to do with dust, and those types of complaints are regulated by the Ohio EPA under their air permit. Mr. Migliozi stated that there is no standards for addressing windy conditions, and when this special condition was imposed, it was a best guess when it was requested to be set at 15 MPH.

John Reeder, a member of Lordstown Village Council, was present at the meeting. Mr. Reeder stated that he still is receiving odor complaints, and he does get complaints about debris from trucks going into the facility, but not many complaints with regard to Lafarge on blowing debris. Mr. Schmidt stated that there is a tarp law for commercial haulers, which can be enforced on commercial haulers by the village to address those complaints.

Following discussion, Mr. Migliozi recommended that the Board allow an increase in the wind speed condition from 15 MPH to 20 MPH on a trial basis, but not formally change the special condition on the license at this time, and then review the matter at the June or August meeting. The facility will also be requested to work closely with our inspector, Kevin Francis, to insure that this change does not result in an increase risk to the community.

MOTION: 18-46 made by Mr. Messersmith, second by Dr. Firster to allow an increase in the wind speed condition from 15 MPH to 20 MPH on a trial basis, with review of the issue at the August Board of Health meeting.

Roll Call Vote:

- Mr. Borocz – Yes
- Mr. Dubos – No
- Dr. Firster – Yes
- Mrs. Salapata – Yes
- Mr. Messersmith – Yes
- Mr. Biery – Yes

Motion carried.

IV. Adjournment: MOTION: 18-47 made by Mr. Messersmith, second by Mr. Dubos to adjourn.

Roll Call Vote:

- Mr. Borocz – Yes
- Mr. Dubos – Yes
- Dr. Firster – Yes
- Mrs. Salapata – Yes
- Mr. Simon – Yes
- Mr. Messersmith – Yes
- Mr. Biery – Yes

Motion carried. (Adjournment 3:25 PM)

RECORDED BY:

ATTESTED BY:

Johnna Ben
Administrative Secretary
Trumbull County Combined Health District

Robert Biery, Jr.
President
Trumbull County Board of Health

For

Frank Migliozi, MPH, REHS/RS
Secretary & Health Commissioner
Trumbull County Board of Health