



STORY COUNTY BOARD OF HEALTH

STORY COUNTY ADMINISTRATION
900 6TH STREET
NEVADA, IOWA 50201

Minutes

AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE ENVIRONMENTAL HEALTH DEPARTMENT, OR BY VISITING WWW.STORYCOUNTYIOWA.GOV

DATE: June 6, 2017

CALL TO ORDER: 2:00 p.m.

PLACE: Administration Building, 2nd Floor

Dr. John Paschen, Chair
*Dr. Kristen Obbink, Vice-Chair
Dr. John Kluge
Martin Chitty
Mark Speck
*Absent

STAFF PRESENT: Margaret Jaynes, Environmental Health Director; Matt Cory, Environmental Specialist; Stephanie Jones, Recording Secretary

OTHER PEOPLE PRESENT: Carlie Beem, Jerry Moore, Ethan Anderson, Ted Petersen, Ardy Baldwin, Rhonda Sykes, Denise Denton, Heather Bambee, Renee Twedt, Karla Webb, Donna Crandell, Tiffany Fzer, Bill Talbot, Brant Lemer, Terri Olinger

1. CALL TO ORDER

Chair Dr. John Paschen called the meeting to order at 2:00 p.m.

2. CONSENT AGENDA (All items listed under the consent agenda were enacted by one motion. - **Moved by Speck, Second Chitty MCU**

- I. **Approval of April 4, 2017 Minutes**
- II. **Approval of April 18, 2017 Minutes**
- III. **Approval of June 6, 2017 Agenda**
- IV. **Approval of Personnel Actions**
- V. **Approval of Violence In The Workplace Policy**

3. PUBLIC FORUM:

None

AGENCY AND DEPARTMENTAL REPORTS:

YSS - Denise Denton gave an update about the prevention programing and shared information about the opioid epidemic. Ms. Denton stated that she is a member of the Heroin Task Force and studies show that heroin usage has increased in eastern Iowa and may be heading towards our area. The task force is hoping to hold a town hall meeting to learn about what efforts authorities have been doing in eastern Iowa for prevention. Ms. Denton shared the voluntary Iowa Youth Survey Data and stated that this reporting is done every other year for Story County (excluding Ballard and Gilbert). The drug use stats overall for Story County youth has gone down tremendously. However, the perception of harm had also gone down and that one of the indicators of whether or not kids will use in the future is whether they are concerned or not.



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Mid-Iowa Community Action (MICA) Carlie Beem (I-Smile Coordinator) stated that the program has provided \$7,040 in free dental services and that they are excited to be offering the sealant program as studies show that children with sealants have 3 times less tooth decay. Ms. Beem also talked about the fluoride item that is later on the agenda. Ms. Beem stated that there had been a misunderstanding with the water department in Slater and that they have already begun adding the fluoride back into the water. Berenice Sanchez spoke about the First Five program and stated that there has been 50 referrals so far this year for speech, hearing concerns and development issues. Ms. Sanchez also spoke briefly about WIC participation in Story County. Ms. Sanchez stated that MICA has recently contracted with Mary Greeley to begin offering a Baby Basics class. This class is to educate about the basics of being a new parent or for those that it has been awhile since they have taken care of a baby.

Story County Environmental Health – Margaret Jaynes presented an update and provided the Board with current inspection and permit numbers. Ms. Jaynes reported that there had been 42 inspections and 36 permits received for septic systems. Ms. Jaynes reported that she is finished with pumper inspections for Story and Marshall Counties and there has been 300,000 gallons of septage land applied. The income from the inspection program is about \$6,000.00. Ms. Jaynes stated that she would report on land applications and violations found at the next meeting. Ms. Jaynes stated that there had been 23 well permits issued which is low due to the geothermal funds, 150 water samples, 28 wells plugged and 4 rehabs. Ms. Jaynes stated that 9,500 was received from Grants to Counties funds. The Auditor credited the Environmental Health Department with \$7,000.00, but put \$2,500.00 into the general fund. Ms. Jaynes reported that 25% can go towards administrative costs she was uncomfortable with the decision to put the \$2,500.00 into the general fund. Pool inspections have started, and there has been some frustration with employee turnover at the pool locations making it hard to train on the pool regulations. Ms. Jaynes stated that there was a new pool built without a permit at the Madison Apartments and that state has a problem with the design and safety of the pool due to the shallow end going straight into deep water. Due to this issue, the pool cannot be used at this time. Ms. Jaynes reported that she had recently met with Bill Couser and Jean Tinker about the Master Matrix, but would speak about this during the next meeting. Speck asked about the Ames Golf and Country Club Septic. Ms. Jaynes stated that the new system is currently being hooked up to the clubhouse.

Story County Public Health – Terri Olinger presented an update and reported on the local public health services grant for skilled nursing, home health promotion, and homemaker visits. Ms. Olinger reported about March and April disease surveillance and stated that there had been 3 salmonella cases, 1 E. coli, 2 Hepatitis B cases, 2 Crypto cases and 5 cases of the mumps. There are currently no active cases for TB control. Ms. Olinger reported that she is moving out of state in July so she will no longer be with public health after that time.

4. ADDITIONAL ITEMS

Terry Olinger stated that she was requesting Patsy Beese be appointed to the health services contract project director position instead of Les White.

- **Appointment of Patsy Beese for the Local Public Health Services Contract Project Director.**
Moved by Paschen, Second by Chitty MCU

- **Paschen stated he felt that the Board of Health should support this request. Chitty asked for information about the counter argument if not fluoridating water. Paschen stated that if children get too much fluoride it could cause fluorosis, which is a cosmetic issue of white patches on the teeth.**



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- **The Board of Health encourages continuation of water fluoridation at concentrations recommended by The Center for Disease Control and Prevention. Motion made by Klugge, Second by Chitty MCU**

 - **Board of Health Emergency Management Responsibilities Update was tabled until the next Board of Health meeting when Obbink would be present.**

 - **Crestview Mobile Home Park**
 - Mr. Lemer was present with legal representation. Paschen asked staff to provide an update regarding findings at the mobile home park.
 - Margaret Jaynes stated that in 2009/2010 complaints started about the water quality, which were forwarded to the DNR since it was a public water supply at that time. In 2011 there was flooding and the lagoon had went over the berms. In 2014 there were 4 NOV's issued for sewage, solid waste, fire hazards, and vacant trailers. At that time, Mr. Lemer took care of those violations for the most part. In April of 2014, there was illegal burning and the fencing was broken around the lagoon. E-mails were received in August of 2014 from the Fire Marshall's office complaining about access to the mobile home park, and that there were dangerous issues with the wiring. The Fire Marshall asked if there was anything that the Environmental Health Department could do about the dangerous wiring issues. Ms. Jaynes stated that she has observed extension cords going from one trailer to another as a power source, which is very dangerous. In 2015, there was a complaint about raw sewage that was being directed to the ditch on Lincoln Way. In 2015 well complaints about the well not being sufficient. In 2016, more illegal burn pile complaints were received. Often time's tenants that could see and smell the smoke called in the illegal burning complaints. In January, 2016 a NOV was issued for value to provide water for human consumption, which was the action that the Board of Health took to close the mobile home park and require decreasing the size down to become a private water source supply or meet the requirements of the DNR, which resulted in a downsizing to 12 trailers, 1 house and 1 duplex. In 2016, a NOV was issued for removal of all RV's due to several RV's being moved in after the park had been closed. In April 2017, complaints were received by the Treasurer's Office triggering an investigation by the County. Ms. Jaynes stated that during the investigation it was found that there were 14 trailers, 1 house and 1 duplex hooked to the water supply, which again makes it a public water supply system under the DNR. Ms. Jaynes stated that the lagoon was also being filled in at that time so that was reported to the DNR. There has been 12 Notice of Violations issued for similar items with the exception of one being for renting out lots to tenants that had power, but no water, solid waste, removal of vacant trailers that Mr. Lemer had junking orders for, and all trailers in Crestview or Mr. Lemer's name that were vacant and needed to be moved. Paschen asked if the trailers were only vacant or if there was anything else wrong with them. Ms. Jaynes stated that the trailers were investigated and could present issues because many of the trailers could be accessed freely and present problems due to mold, garbage, rodent harborage, and safety if kids were to go inside to play. Ms. Jaynes reported that Mr. Lemer had made an effort to meet with a contractor on May 2, 2017 and he would be able to disassemble the trailers on site and remove, but Mr. Lemer decided he was not ready to sign a contract at that time. Ms. Jaynes reported that without a contract being signed to remove the trailers there has not been anything done and there is now less than one week left to remove the trailers. Ms. Jaynes emphasized that we are still trying to seek voluntary compliance, but we are not seeing that.
5. Jerry Moore stated that 10 violations of the Story County Land Development Regulations had been identified after site reviews on April 12, and May 2, 2017. The violations on the property included: expansion and extension of a nonconforming use, conversion of mobile home #28 to storage units, storing of mobile home frames on the



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grass in the right-of-way and on septic system, multiple unlicensed vehicles, logging operation occurring on site, selling logs, dumpsters unscreened in middle of private streets, altering sewage treatment lagoon area to a storage area, selling used decks, and the adding of fill dirt in the southwest corner of the mobile home park. Mr. Moore stated that it is Planning and Development's goal to obtain voluntary compliance with the Notice of Violations. Due to technical difficulty, photographs could not be displayed with presentations. At the end of the presentation, Ms. Jaynes and Mr. Moore were able to show the photographs.

Bill Talbot with Newbrough Law Firm was present to represent Brant Lemer. Mr. Talbot stated that people live at Crestview because there are limited options available. Mr. Talbot requested that the board keep in mind that vulnerable people will be affected. Paschen asked Mr. Talbot if he understood that the Board of Health is required that these people are living somewhere safe, and Mr. Talbot said he understood that. Mr. Talbot stated that Mr. Lemer has entered into a contract with him for liquidation. Mr. Talbot stated that liquidation will be very expensive and he feels it will take 9 months – 1 year before the park is ready to be sold by auction for new development. Mr. Talbot asked that the County appoint a person as a point of contact so that he is not working with 5 or 6 different people to build a reasonable liquidation schedule. Mr. Talbot asked that all violations be placed on hold while the liquidation could be worked out. Mr. Talbot stated that if Mr. Lemer does not adhere to the liquidation schedule that he would withdraw and all violations could be prosecuted at that time.

There was discussion amongst the Board members. Speck stated that this matter has already been going on since 2010. Chitty asked what the costs associated with liquidation would be. Mr. Talbot stated that costs could be as high as \$40,000.00 - \$50,000.00 just to get rid of the mobile homes and attorney fees will not be cheap. Chitty felt that there are trust issues after dealing with this for so long and that Mr. Lemer has made promises and not acted upon them. Mr. Talbot stated that he understand about trust issues, but this remedy has not been offered previously. Mr. Talbot stated that one of the schedules that he would like to work on immediately is to not have any tenants left within the park. Mr. Talbot feels that with no income, the only incentive left for Mr. Lemer will be disposing of the property. Paschen asked Ethan Anderson if the Board decides to move forward with issuing citations what the times span would be until citations would be carried out. Mr. Anderson stated that the court would likely set hearings for 4-5 weeks out, unless a continuance was moved for. Paschen asked if the citations were held off as Mr. Talbot is requesting how fast the citations could be acted upon at that point. Mr. Anderson stated that Mr. Talbot was correct and the citations could be filed at any point after June 12. Mr. Anderson stated that his recommendation would be for the Board of Health to act in good faith with Mr. Talbot and have a clear milestone set that eviction notices would be served no later than Friday, June 9, which would get things moving forward. Paschen stated that he has trust issues as well and that if Mr. Lemer would have followed instruction in 2010, that we would not be here today. Paschen stated that he does not want this to be portrayed as big government against people who have no other options. Paschen stated that the landlord has been taking advantage of these people and he feels that 9 months – 1 year is too long to take care of this. Paschen asked Mr. Anderson if he would be willing to take on being the point of contact that Mr. Talbot is requesting, and Mr. Anderson stated that he would be willing to do so.

Lauris Olsen spoke and stated that she feels that all of the Board of Supervisors need made aware of the entire situation and approve the point of contact.

Renee Twedt stated that in February, Mr. Lemer sold a trailer to a tenant and has yet to give the title. The tenant is pregnant and Mr. Lemer has cut the tenants utilities, water and towed her car. Ms. Twedt stated that she has many trust issues as well.

Much discussion continued amongst the Board about a liquidation time line, a point of contact going through the



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Board of Supervisors, whether or not to hold off on Citations and keep the Notice of Violations in place, and the Board of Supervisors providing assistance to residents again. Karla Webb stated that the Board of Supervisors would need to re-open the application process and determine an amount given to assist tenants. Mr. Talbot stated that if the Board decides to go through with issuing the Citations that he would be out and not working on this project. Paschen asked what Mr. Talbot could do to ensure the Board of what progress will be made by the August Board of Health meeting. Mr. Talbot stated that he could not say what the immediate resolutions would be, but once a point of contact person is made, he would then be able to begin working through the process. Mr. Anderson stated that if 15 trailers are gone by the next meeting and the 1,800.00 for back taxes paid, that would be enough progress to show the Board that progress is being made. Additional discussion took place about a time line for sending out eviction notices and a contact person for the County. Paschen stated that he wants to see good faith effort to show that this is going in the correct direction. Lauris Olsen asked about what if the Board of Health selects a contact person that the Board of Supervisor's do not agree with. Paschen stated that the Board of Health is an advice and consent board.

Motion: Notice of violations are placed on hold. At least the 15 abandoned trailers will be removed from the park by the August 1, 2017 Board of Health meeting. A time line for the park closure will be presented and approved. Otherwise, the Notice of Violations will move forward at that time.

Motion: Paschen

Second: Speck

Voting Aye: Chitty, Speck, Paschen, Kluge

Voting Nay: None

Absent, Obbink


Vote: (4-0)

6. COMMENTS

Staff: None

Board: Kluge asked if a meeting would be set up for financial help. Paschen stated that he would like to request that the Board of Supervisors extend a financial help offer.

ADJOURNMENT at 4:11 p.m.


Approval of Minutes


Title and Date