

1969

A meeting of the Board of Trustees of the Clark County Health Board was held at 7:00 P. M. on Thursday, April 17, 1969.

The following were present: Dr. Regan, Dr. Bower, Dr. Forsee, Dr. Spieth, Dr. Roby, and Mr. Brummett; & Mr. Miller was absent.

The minutes of the previous meeting were read and approved.

The TB Control Program was explained to the Board by Dr. McKechnie and he advised the Board of the hiring of Mrs. Doris Simmons, TB Registrar. He also told of the convenience of having the extra telephone for this project.

The Auditor's report from the State Board of Accounts was presented to the Board. The report showed everything to be in order.

The Measles Eradication Program was discussed and it was noted that the vaccine would be furnished by the State for the planned Eradication Day to be held on Sunday, May 25, 1969, at Parkview Junior High.

Dr. Spieth discussed the Rabies Clinic to be held the first two weeks in May and said the charge this year would be \$2.00.

The new law regarding new school entrants was discussed. Within 30 days after entering school, new entrants are required to have a Physician's statement that they have had or have not had D. P. T., Polio, and Measles Vaccine or they may not stay in school.

Dr. McKechnie reported on having met with Mr. Scott, Mr. Moore, Mr. Dellinger, and Mr. Brummett for the purpose of discussing sanitary landfills. During this meeting the licensing of dumps and the running of dumps was discussed.

A lengthy discussion was held regarding Wycliff Farms Subdivision and Dr. McKechnie discussed all angles of this situation. He read several letters from the Engineering Division, State Board of Health and Soil Conservation Department.

It was moved by Dr. Roby and unanimously approved that a special closed meeting be held in the very near future in the hospital in the Doctors Lounge. It was suggested that the following be asked to attend: Senator Plaskett, Representative Beneville, Representative Pearson, Mr. Scott Cook, the County Commissioners-Mr. Woods, Mr. Coombs, and Mr. Davis, along with the Board Members, and Mr. Logan Dellinger of the Plan Commission.

The meeting was adjourned at 9:00 P. M.

A meeting of the Board of Health of the Clark County Health Board was held at 7:00 P. M. on Thursday, April 17, 1959.

The following were present: Dr. McKechnie, Dr. Moore, Dr. Perkins, Dr. Spieth, Dr. Roby, and Mr. Emmert. Mr. Miller was absent.

The minutes of the previous meeting were read and approved.

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The new law regarding new school entrants was discussed. Within 30 days after entering school, new entrants are required to have a Physician's statement that they have had or have not had P. T., Polio, and Measles Vaccine or they may not stay in school.

Dr. McKechnie reported on his interview with Mr. Emmert, Mr. Moore, Mr. Dellinger, and Mr. Emmert for the purpose of discussing sanitary landfills. During this meeting the licensing of dumps and the running of dumps was discussed.

A lengthy discussion was held regarding Wycliff Farms Subdivision and Dr. McKechnie discussed all angles of this situation. He read several letters from the Engineering Division, State Board of Health and Soil Conservation Department.

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The meeting was adjourned at 9:00 P. M.

1 Official Meeting of the Board of the Clark County
2 Health Department, held in the Doctors' Lounge of the Clark
3 County Memorial Hospital, on May 1, 1969, at 7:00 o'clock
4 P.M.

5
6 Those present were as follows:

7 Dr. Robert McKechnie, Director of the Clark Co. Health Dept.

8 Dr. George L. Regan, President of the Board.

9 Dr. L. D. Bower, Member of the Board.

10 William Brummett, Member of the Board.

11 Dr. A. L. Roby, Member of the Board.

12 Dr. Norman Forsee, Member of the Board.

13 Dr. E. Spieth, Member of the Board.

14 Dean Shepherd, Clark County Health Department.

15 Joe Coombs, Clark County Health Department.

16 Cy Wood, County Commissioner of Clark County, Indiana.

17 Charles Coombs, County Commissioner of Clark County, Indiana.

18 C. Vincent Davis, County Commissioner of Clark County, Indiana.

19 Logan Dellinger, Clark County Plan Commission.

20 Ralph Diefenbach, Clark County Plan Commission.

21 James Pearson, Representative.

22 Dr. Walter Beneville, Representative.

23 James Plaskett, Senator.

24 Scott Cook, Clark County Council.

25 Herman Miller, Supt. of Schools, Member of the Board.

26

27

1 DR. REGAN: We have waited 15 minutes past the time of the
2 meeting now and is there anyone who doesn't want to
3 start the meeting yet?

4 (No Reply)

5 DR. REGAN: Let me welcome all you gentlemen here because
6 I think this is showing a real good interest in the
7 Health Department, and I think it is something that
8 everyone in the county should be interested in, and I
9 know all the Board is glad to see that you are here to
10 hear what's said, and some of the actions that we do.
11 Now this was called as a closed meeting by the request
12 of the Board members because we felt that there was
13 some things here that should be discussed with not the
14 public, and not the press present, and we felt that you
15 were the men who were vitally interested in the county,
16 and interested in this thing, and you should hear what
17 is said first. Then if there is any other decision
18 to be made, or anyone else to be invited into this
19 information I am sure that the Board will go along with
20 you, but we have called this as a closed meeting
21 basically to keep whatever information there is here
22 to the people who are here first. There may not be
23 anything that will hurt anyone, and there may be
24 some things that might not be agreeable to everyone.
25 Now the recorder here is going to record this meeting
26 because this is going to be an official meeting of the
27 Board of Health, and if you want, she is going to

1 record this verbatim, and if you want to call someone
2 a S.O.B. it will be recorded as a S.O.B. and nothing
3 else. Whatever you call him, that's what it will be.
4 Now since this is going to be an official meeting I
5 am going to call the meeting to order and request the
6 secretary here to read the minutes of the last meeting,
7 and this will be very short.

8 (Margaret Read, Official Court Reporter, reads
9 minutes of last meeting).

10 DR. REGAN: Are there any corrections or additions to the
11 minutes?

12 (There are none)

13 MR. BRUMMITT: I move that they be accepted as read.

14 DR. REGAN: Agreeable by all?

15 (Yes)

16 DR. REGAN: Any objections?

17 (None)

18 DR. REGAN: Now to shorten the time here I would like to call
19 for a motion from the Board to dispense with any other
20 business so we can get down to the discussion of
21 sanitation.

22 DR. FORSEE: I so move.

23 DR. ROBY: I second the motion.

24 DR. REGAN: All approve?

25 (Yes)

26 DR. REGAN: Are there any objections?

27 (None)

Following is
94 more pages
of testimony
about a lawsuit.

The Clark County Board of Public Health held a meeting at the office of the Health Department, on Spring Street, in Jeffersonville, Indiana, at 7:00 o'clock P.M., on the 14th day of July, 1969, with Dr. George Regan, Chairman, presiding at the meeting.

Those Board Members in attendance were as follows: Dr. L. D. Bower, Dr. George Regan, Dr. Robert McKechnie, Dr. Norman Forsee, Dr. Emmett Spieth and Dr. A. L. Roby. Also present were Joe Coombs, Sanitarian, and Fred Goldberg, Attorney for the Jefferson County Health Department in Louisville, Kentucky.

The meeting was called to order by Dr. Regan and Dr. Forsee made a motion that the reading of the minutes of the previous meeting be dispensed with and accepted as recorded. Dr. Bower seconded the motion, and after voting the motion was unanimously accepted.

Dr. McKechnie, County Health Officer, presented all those present with a copy of the agenda for this meeting.

The budget was discussed and each item included in the budget was approved by the Board. Dr. McKechnie explained the deletion of a staff nurse and dental hygienist from the budget. He explained that two nurses can easily handle the load now with the closing of so many schools and many schools having their own nurse. He stated that he had been informed that the Dental Society does not want a Dental Hygienist and they will work out a satisfactory system of their own.

The request for \$3,000 for legal counsel in the budget was requested since the Department does not have sufficient legal counsel at the present time, and the only legal advice available to the Department is through the Prosecuting Attorney. It was felt that an attorney is needed who is definitely interested in working for the Health Department.

Dr. Bower then moved that the budget be accepted as presented. Dr. Forsee seconded the motion and after voting the motion was unanimously carried.

A letter was read from Mr. Thomas McCartin, County Auditor, in which he asked the Department to submit a proposed budget for the next 5 years. The purpose of such a request is to determine what the tax structure of this county will be in the next 5 years. Dr. McKechnie asked the Board's permission to prepare a budget in which there would be a \$10,000 increase per year for the next 5 years. After much consideration and discussion by the Board it was agreed unanimously that the budget be figured on that basis.

Subdivisions in the county were discussed. Robert Kempf, Jr. called Dr. McKechnie and advised him that he would represent

Clare and Jones against the Health Department in a suit which will be filed in Court, and that he would be named personally as a defendant, as well as the Health Department. Dr. McKechnie contacted Mr. Fred Goldberg, Attorney for the Jefferson County Health Department, and asked him to be present at this meeting for the purpose of discussing his position with the Health Department in Louisville at the close of this meeting.

Dr. McKechnie advised the Board of two problems in the county that he felt the Board should be aware of at this time. One is a trailer home problem and the other is an existing subdivision problem. Mr. Buford Bower of New Washington has approximately 50 acres that he is dividing into areas to be sold along an existing state road for the purpose of mobile homes. Mr. Morrow at Charlestown has a subdivision on 403 which has several homes in it, approximately 80 or 90, and he is now developing an area which is going to be a real septic tank problem. Several people have contacted the Health Department asking them to do something about the situation existing there. The Board thoroughly discussed both of these cases at great length. After the final discussion of all available information it was suggested that Dr. McKechnie write Mr. Bower, the owner of the land in New Washington, and ask him to come in and discuss his position with the Health Department. It was also suggested that the Health Department contact Mr. Jack Hester, Mr. Howard J. Snyder, Mr. Jones and Dr. Voskuhl regarding the complaints about Mr. Morrow's subdivision. It is felt that something can be agreed upon and that all the residents on 403 and in Mr. Morrow's subdivision would be interested in a sewer if that service could be provided them.

There being no further business to come before the Board Dr. Roby made a motion to adjourn the meeting. Dr. Forsee seconded the motion and it was unanimously carried. The meeting was adjourned at 9:00 o'clock P.M.

Respectfully submitted,

Margaret Read

Margaret Read, Court Reporter

1 The Clark County Board of Public Health held a meeting
2 at the Clark County Memorial Hospital in Jeffersonville,
3 Indiana, at 7:00 o'clock P.M., on the 20th day of October,
4 1969, with Dr. George Regan, President of the Board, presiding
5 at the meeting.

6 Those Board Members in attendance were as follows:
7 Dr. George Regan, Herman Miller, William Brummett, Dr. A. L.
8 Roby and Dr. Emmett Spieth. Also present were Dr. Robert
9 McKechnie, Director of the Health Department; Joe Coombs and
10 Dean Shepherd, Sanitarians; Meta Saunders, Secretary at the
11 Health Department, and Howard J. Snyder and Fred Goldberg,
12 attorneys.

13 The meeting was called to order by Dr. Regan. Herman
14 Miller made a motion to dispense with the reading of the
15 minutes of the previous meeting. William Brummett seconded
16 the motion and after voting it was unanimously carried.

17 The election of officers was held and the results
18 were as follows: Dr. George Regan, President of the Board,
19 and Dr. A. L. Roby as Vice President of the Board.

20 The question of employing legal counsel was discussed
21 by the Board. Dr. McKechnie stated that the County Council
22 had appropriated money for legal counsel in that the Prosecu-
23 ting Attorney's office is too busy at the present time to
24 provide good legal service to the Health Department. It is
25 possible that the Health Department will be involved in
26 litigation in the near future, and at the previous meeting
27 it was recommended that the Department seek the employment

1 of Henry Nachand as legal counsel, however, Henry Nachand
2 declined to serve because of a conflict of interest. The
3 Board then contacted Howard J. Snyder, a local attorney, and
4 he agreed to serve providing it was agreeable with the
5 Health Department that a declaratory judgment, which is
6 a friendly suit, be filed in order that the Court may deter-
7 mine the legality of the Department hiring an attorney
8 rather than the Prosecuting Attorney's office serving in that
9 capacity. If the Court felt that the Health Department could
10 employ legal counsel and so ordered, then the Department would
11 be safe and within the provision of the statute. After a
12 discussion the Board agreed to have Mr. Snyder carry out the
13 proper procedure and file a declaratory judgment.

14 William Brummett made a motion that the declaratory
15 judgment be filed. Emmett Spieth seconded the motion and
16 after voting it was unanimously carried.

17 Herman Miller moved that the Health Department retain
18 Howard J. Snyder as legal counsel for the Board of Health.
19 William Brummett seconded the motion and it was carried.

20 Landfills were discussed at length. At the present
21 time we have five open dumps in Clark County, and by law it
22 will be illegal to run any of these dumps after January 1,
23 1970, so they must all be abated or changed to properly
24 run landfills. At the present time there are two proposed
25 landfills. One is by Mr. Kopp at the southwest corner of
26 Silver Creek and I-65. The other one is by Phil Cato about
27 2 miles west of Bennetsville on a farm owned by Ira Shine.

1 Both are under consideration at this time. It is the feeling
2 of the Department to leave the existing dumps as they are
3 would be wrong; that the people have made a livelihood out
4 of running them for a period of time, and when the dumping
5 is ended the dumps should be taken care of in some way that
6 won't cause the rat and stench problem that is now being
7 condoned by the Health Department. A letter was written and
8 given to David Varble, Attorney for the County, and this will
9 go to each of the five dump owners with reference to their
10 operation. David Varble asked the Health Department to hold
11 up on it for a while because he does not want to aggravate
12 any of the existing dump owners at the present time because
13 if they would close their operation we would be left with
14 no place to dump our garbage, etc. It was agreed that the
15 letter would be sent out as soon as it is satisfactory with
16 the County Commissioners as they are working on a solution
17 to our problem at the present time.

18 Rabies bills were present^{ed} and discussed. Dr. McKechnie
19 explained that if an animal in this county is suspected of
20 having rabies we always try, as soon as possible, to get the
21 head to Indianapolis. We have three veterinarians in this
22 county, all of whom can do this without injury to the head.
23 The head is supposed to be cut off and frozen and sent to the
24 state laboratory for analysis. The attending vet is to
25 bill the people who have an interest in this procedure, but
26 some parents of children don't feel that this is right and
27 they refuse to pay the bill. The Health Department has

1 \$100.00 in a fund (a kitty) that can be used in cases of
2 this nature. At the present time the Department has been
3 presented a bill for the services on a feline brought in by
4 the State Police. The people involved have refused to pay
5 the bill. Herman Miller made a motion that the Health Depart-
6 ment pay the bill out of the kitty. William Brummett seconded
7 the motion and after voting it was unanimously carried.

8 There was a discussion on the hiring of a food inspector
9 for this county, which is badly needed at the present time.
10 Dr. McKechnie stated that we have a pressing need for a
11 food inspector, and since we have not had one we do not have
12 any food inspection ordinances. We don't really know what
13 the needs are at the present time. Mr. Reichle, who was at
14 one time employed by the Health Department, and is now retired,
15 would be willing to serve in this capacity for the sum of
16 \$1,600 a year and car expenses. He can not have more income
17 than that due to his Social Security benefits. It is the
18 hope of the Department that a Food Handling Program can be
19 established and function properly. At the present time there
20 are 250 establishments in the county that handle food, and
21 the Department is continually receiving complaints, but does
22 not have the personnel to run all of the complaints down,
23 however, the Department does try to answer each of them. The
24 Indiana State Board of Health has money available for any
25 future employees at the state level, and we can apply for
26 up to \$5,500 for a nurse and another sanitarian. Dr. McKechnie
27 and Joe Coombs brought some application forms from a recent

1 meeting in Indianapolis, and the Department has a letter from
2 the Indiana State Board of Health insisting that we do
3 initiate a food inspection program in this county. We would
4 like to apply for a part time food inspector for the rest
5 of this year, and perhaps all of next year, and this would give
6 us time to initiate the ideas of what we need and get an
7 ordinance passed, and at that time we could possibly put in
8 for a full time inspector.

9 William Brummett made a motion that the Health
10 Department hire Mr. Arthur Reichle as the Food Inspector
11 for the County beginning January 1, 1970. Dr. Roby seconded
12 the motion and after voting it was unanimously carried.

13 Dr. Regan announced that the Department would meet
14 with Mr. Robert Jones and his counsel at 8:00 o'clock P.M.
15 Mr. Howard Snyder will represent the Health Department in
16 that meeting. Mr. Jones requested this meeting with the
17 Board in order to present his side of the story with regard
18 to the development of the Wyckcliff Farms Subdivision.

1 DR. REGAN: Now let's get started. We have already discussed
2 the rest of our meeting and discussed what the meeting
3 is about here to night. When you stand to speak be
4 sure to give your name so everybody will know who is
5 discussing or cussing. Mr. Jones is the developer of
6 the Wyckcliff Farms Subdivision up here, and he is
7 the one who has requested this meeting, so we will ask
8 him if he has anything to say, or how he wishes to do
9 this.

10
11 BOB JONES: I prefer to turn it over to Bob Kempf here, since
12 he is representing me.

13
14 DR. REGAN: All right, fine.

15
16 ROBERT KEMPF: Mr. Chairman, my name is Bob Kempf. I am an
17 attorney here in Jeffersonville, and I am appearing
18 here tonight on behalf of Mr. Robert Jones and Mr.
19 Carl Clore. Actually Clore & Jones are the developers
20 of the Wyckcliff Farms Subdivision. I would like to
21 make a few preliminary statements first. Actually,
22 we are here I guess as a direct result of Dr. McKechnie's
23 letter of June 10, 1969 to Clore & Duncan Real Estate
24 to the attention of Mr. Robert Jones. The letter was
25 very short, if I may read from the letter: "Dear Sir:
26 Referring your letter. The Clark County Health Depart-
27 ment will not consider approval of any individual