



**Minutes of the
BOH Policy Committee Meeting
Wednesday, May 10, 2023 at 4:30 pm
555 North Court Street
Room 115
Rockford, IL 61103**

Members Physically Present: Luci Hoover, Angie Goral, Bob McCreath (Ex-Officio), Derrick Kunz

Members Absent: Patricia Lewis (Chair)

WCHD Staff Present: Dr. Sandra Martell – Public Health Administrator, Michael Jarvis, Policy Director, Todd Marshall EH Director, Stephanie Bahling (recorder)

Legal Counsel: ASA Charlotte LeClercq

Luci Hoover called the policy committee meeting to order at 4:31 pm. She indicated that an addition to the agenda would be to add “public participation”

1. **Approval of Agenda** – Luci entertained a motion to approve the May 10, 2023 Policy Committee meeting agenda which Bob provided, Derrick seconded, all were in favor, unanimously approved, motion carries.
2. **Public Participation** – Luci indicated that this is the time we invite the public to address the board of health with issues and concerns. We ask you to limit your comments to three minutes. Personal attacks or inappropriate language of any sort will not be tolerated. We will allow a maximum of five speakers on a first come basis with sign up at the meeting. Personnel matters or pending or threatened litigation may not be addressed in open session. An individual may speak a maximum of three times per calendar year on the same topic. This prohibition shall include the repetition of the same topic in a statement on what is purported to be a different topic. After acknowledgement by the chair, please stand and state your name. Thank you.
 - a. William Caldwell spoke indicating that they are looking to start a “dog bar”. He indicated that they are relatively new within the past 5 years and this would be the first one in the area. He indicated that he has reviewed the rules to ensure everything is being done safely. William indicated that the bar area would be a leashed only space commenting that there was a concern of dog hair. The dogs would not be running or jumping and the dogs would be six feet or less from their owner. William indicated that they are willing to do what is necessary to follow the rules and being safe.
 - b. Lynn Edwards indicated that she is requesting to split the property between the house and the buildings. She indicated that they are being proactive commenting that when her and her husband pass away the house could be left to the children and the business would be listed in a trust for the business. Lynn is asking for the variance on the well commenting that they are five feet short of the 100 feet requirement at 95 feet. She acknowledged that the State requirement is 75 feet and Winnebago is 100 feet. Lynn indicated that she would be willing to have the well tested yearly. Lynn reiterated that the house needs to be separated from the business to ensure there are no issues for their children and grandchildren in the future.
3. **Policies:**
 - a. 1104-1130-15 – Use of Service Animals Policy: Michael indicated that the policy is part of the PHAB reaccreditation process. The policy showcases ADA compliance and accessibility services for WCHD. Michael indicated that there were not a lot of changes to the policy. He indicated that the policy includes what qualifies as a service animal and what staff are able to do and not do in regards to partners or handlers that utilize service animals and the steps in regards to denial of access of services for clients who use service animals. The policy references the statute from the state regarding service animals. Luci entertained a motion



to approve the Use of Service Animals Policy which was provided by Derrick, seconded by Angie, all were in favor motion carries and the Use of Service Animals Policy will be advanced to the BOH.

4. Variances

- a. R201-041504 – Edwards Apple Orchard: Todd Marshall indicated that the Edwards Apple Orchard West is 93 acres on Cemetery Road. The request for the variance is to separate the residence from the business. He indicated that the existing well would remain with the business and the request is to drill a new well for the residence. Todd indicated that according to code 86-122 the location of a new well would need to be at the highest elevation and as far removed from known possible sources of contamination. Todd indicated that the subsurface seepage tile is 100 feet and septic tanks at 50 feet. Todd indicated that Ms. Edwards has been working with a survey engineer who provided a drawing that listed the existing field lines and septic tanks. Todd indicated that a new well can be drilled at the property at a location that meets the requirements of 100 feet from the septic fields. Bob inquired if the 95 feet is all that is in question, in which Todd responded yes. Todd indicated that they denied the variance due to the opportunity to locate the well elsewhere on the property. Todd indicated that the application that was submitted indicated that Ms. Edwards would drill the well 200 feet deep and have 80 feet of casing. Bob reiterated that the only issue was 95 feet verses 100 feet in which Todd indicated it was and that it was denied because there is an alternative location to put the well that meets the requirements. Todd indicated that historically Winnebago County changed from 75 feet to 100 feet due to fractured limestone throughout Winnebago County and Winnebago County has good access to the St. Pete sandstone which needs to be protected to avoid risk of contamination from septic fields. Luci entertained a motion to approve the variance, which was proved by Angie, seconded by Derrick. After discussion the motion was amended to recommend to the full board the approval of the variance with the following restrictions: That the well be monitored every year and WCHD with the results; that the casing be 80 feet and that there is no deviation from the plan that was submitted with the application. All were in favor, motion carries. Ayes (4), Nays (0), Absent (1).
- b. R201-041899 – Dog Bar: Todd indicated that the variance is to Code 6-501.115 an FDA code prohibiting animals. The request is to bring a dog bar/dog park to the Winnebago County area. Todd indicated that a dog bar does not meet the 2017 FDA code in regards to prepping food and drinks. Todd indicated that prep consists of stirring, pouring, lemon and limes in which animals cannot be near. Todd indicated that after reviewing the code WCHD was opposing the dog bar therefore the variance was denied. Todd indicated that nothing has been presented that ensures that there wouldn't be any guarantee that cross-contamination wouldn't occur with dog hair. Todd indicated that the floor plans for the bar would need to be approved by WCHD. Dr. Martell indicated that if the bar area was enclosed and they could use pass through windows. Todd inquired as to the liquor license in which Mr. Caldwell wouldn't want to be limited however would consider can/bottle only but wanted to review all options. Todd indicated that as director of environmental health WCHD has to uphold the FDA code and they would need to ensure they keep the prep away from the dogs adding that the county code cannot be less restrictive than the national code. Dr. Martell indicated that if the dogs were outside they could do a pass through window and the prep would be contained inside away from the dogs. Todd indicated that it was his understanding that the dogs would be both inside and outside. Mr. Caldwell indicated that there would be an outside area and an inside leashed only area in the bar area. Dr. Martell suggested cafeteria style with the pass through window and there would be no way that the dog could get behind the bar. Dr. Martell suggested working with the architect to determine a way to enclose it where the patron would place the order and then the drink would be passed through the window for the patron to take to their table. Todd reiterated as director of environmental his job is to enforce codes and WCHD cannot be less restricted than FDA codes. Todd indicated that WCHD is willing to work with them to ensure that there is no cross-contamination. Todd indicated that as long as the prep area is enclosed there wouldn't be an issue. Luci inquired if anything needed to be decided tonight in which Dr. Martell responded no that WCHD does not have the design layout. Todd agreed they would need to have the floor plan approved by WCHD. Luci inquired if they would come back to the committee with additional information in which Dr. Martell indicated if they comply with the code, a variance would not be required. Mr. Caldwell indicated that



they will work within the code and inquired if they closed it in would they be permitted to serving food in which Todd indicated that if it is enclosed and no chance for cross-contamination when they prep that they would be permitted to serve food.

- 5. **Agreement - none**
- 6. **Resolution - none**
- 7. **Executive Session – None**
- 8. **Additions – None**
- 9. **Adjournment –** There being no additional business, Luci entertained a motion to adjourn the May 10, 2023 Policy Committee Meeting which was given by Derrick, seconded by Bob, all were in favor and the meeting adjourned at 5:16 pm.

Approved by the Board of Health

Winnebago County Board of Health

Date