

**Clermont County General Health District  
Board of Health Meeting**

The monthly meeting of the Clermont County Board of Health was held on October 10, 2007. James Hansbauer, President, called the meeting to order at 7:30 p.m. Mr. Hansbauer led the Board members and guests in the Pledge of Allegiance.

Roll call:	James Hansbauer, present	Dr. William Miller, present
	Carlos Hamilton, present	Andrew Crum, present
	Larry Cadwallader, present	

Others present included: Marty Lambert, Health Commissioner; Julianne Nesbit, Assistant Health Commissioner; Dr. James Kaya, Medical Director; Rob Perry, Director of Environmental Health; Kevin Jester, Director of Plumbing; Deena Elliott, Director of Nursing; Donna Hart, Administrative Assistant; and others as listed on Attachment #1.  
(Attachment #1)

**Blackwater Holding Tank Request & Extensions - (#1 & 2)** - Ms. Nesbit reported the paperwork for the homeowners requesting an extension to their blackwater holding tank variance request was in order. Ms. Lambert recommended the Board approve the renewal requests for:

- 1) Brunk, 2238 Clermont Meadows, Monroe Township (142-V-06)
- 2) Callahan - 6897 Goshen Road, Goshen Township (31-V-03)

Mr. Hamilton made a motion to grant a 1 month extension for the blackwater holding tank renewals #1 & 2. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. The homeowners will receive a letter indicating the terms and conditions of the variance renewals.

**High Weeds Complaint (#1)** - Ms. Lambert stated the owner of the vacant property with a valid high weeds complaint had not abated the nuisance situation and notice to appear before the Board was posted on the property. It was noted that the homeowner was not in attendance. She requested the Board grant approval to have the high weeds nuisance abated by the Engineer's Office and apply the expense as a tax lien on the listed property.

Following a review of the file, Dr. Miller made a motion to order the high weeds nuisance abated on the property located at 6003 Newtonsville Hutchinson Road, Wayne Township, and the cost of abatement by the Engineer's Office be placed as a lien on the property to be paid as other taxes are paid. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

**Fee for Abatement of High Weeds Complaint (#2)** – Ms. Lambert requested the Board certify the cost of abating the high weeds nuisance complaint on the property presented to the Board at the September meeting.

Mr. Crum made a motion to certify the cost charged by the Engineer's Office for abating the high weeds nuisance complaint at 814 Wright Street, Wayne Township, and to proceed with the process of placing the cost of abatement as a lien on the property's taxes. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. (Attachment # 2)

**Three Homes on One Parcel (#3)** - Ms. Lambert presented the variance request submitted by the property owner at 1252 Pumpelly Road, Washington Township. The owner requested approval to place a third residence on the property. Ms. Lambert noted there are currently two residences, each with its own sewage treatment system, located on the property. The proposed third residence would also have a separate sewage treatment system. She stated that the property consisted of 187 acres and the owner did not want to subdivide the parcel. Washington Township is not zoned, therefore

there are no zoning restrictions to be considered.

Following a review of the request, Mr. Crum made a motion to approve the variance for the property located at 1252 Pumpelly Road, Washington Township. The motion was seconded by Mr. Hamilton.

Prior to voting on the motion, Mr. Hamilton asked if allowing three residences on one parcel was something the staff normally supported. Ms. Lambert reported that a request for three residences on one parcel is a rare request – the normal request submitted is for 2 residences on one parcel. She related however, if there are no zoning issues, if there is adequate acreage and distance between the homes to divide the property if needed in the future, and if each residence will have a separate sewage treatment system, the staff has supported similar variance requests. The Board also discussed the number of manufactured homes allowed to be placed on one parcel before the property would be considered a manufactured home park. Mr. Perry reported that three or more manufactured homes on one parcel was considered a manufactured home park.

Mr. Crum's original motion was amended to grant approval contingent on verification that only two of the three residences approved to be located on the property at 1252 Pumpelly Road, Washington Township, be manufactured homes. Mr. Hamilton seconded the amended motion. The vote on the motion was all aye, motion carried.

### **New Business**

**1. Hearing for Proposed 2008 Food Service Operation and Retail Food Establishment Fees, Vending Fees, Mobile Fees and Temporary Fees** – Ms. Lambert called the hearing to order. She read the 2008 proposed fees for food service operations, retail food establishments, vending operations, mobile operations and temporary operations. Ms. Lambert also noted the dates and types of notices used to notify all known facilities and operations impacted by the proposed fees.

Ms. Lambert opened the hearing to comments.

George and Ruth Rooks were present at the hearing representing the Monroe Grange. Ruth Rooks questioned the current classification of the Monroe Grange as non-commercial operation and the temporary license fee associated with the classification. She stated that the Grange was a non-profit group and felt the correct classification should reflect this. Ms. Rooks noted the Grange only conducted a temporary operation 3 days per year and the current license fee had a significant impact on their profit. Ms. Rooks also stated that Monroe Grange had received a letter from the State Grange office instructing them to file the necessary paperwork concerning non-profit status.

Mr. Perry stated if the Monroe Grange had non-profit status, the license fees would be charged accordingly for their temporary operation. This should resolve Ms. Rooks' concern regarding the higher temporary fee the Grange had been paying in the past.

Ms. Lambert read into the record two additional letters that were received concerning the proposed fee increases. The first letter was from Tony Kwong, owner of Sizzling Wok, Inc., stating he felt the

fees for temporary event operations were too high and had kept him from participating in several

festivals during the past season. The second letter was from Kathy Merman, of Kathy's Tutoring/Eric's Ice Cream, regarding the fees for food service operations. Ms. Merman stated she felt the amount of sales and length of operation should be taken into account in setting the license fees for food service operations. (Attachments 2-A & 2-B)

There were no other comments and the hearing was closed.

**2. 2<sup>nd</sup> Reading of Resolution for Revised Food Service Operations and Retail Food Establishment Fees, Vending Fees, Mobile Fees and Temporary Fees** – Ms. Lambert conducted the 2<sup>nd</sup> reading of the resolution adopting revised fees for Food Service Operations, Retail Food Establishments, Vending and Temporary Events.

**3. 2<sup>nd</sup> Reading of Resolution for Revised FSO/FE Plan Review Fees** – Ms. Lambert conducted the 2<sup>nd</sup> reading of the resolution adopting revised FSO/FE plan review fees.

**4. 2<sup>nd</sup> Reading of Resolution for Revised Manufactured Home Park License Fees** – Ms. Lambert conducted the 2<sup>nd</sup> reading of the resolution adopting revised license fees for manufactured home parks.

**5. 3<sup>rd</sup> Reading of Resolution to Adopt Local Air Pollution Regulations & Signing of Contract** - Ms. Lambert conducted the 3<sup>rd</sup> reading of the resolution adopting local air pollution regulations.

Dr. Miller made a motion to adopt Resolution 17-07 adopting local air pollution control regulations. The motion was seconded by Mr. Cadwallader. The vote was as follows: Mr. Hansbauer, aye; Dr. Miller, aye; Mr. Cadwallader, aye; Mr. Crum, aye; Mr. Hamilton abstained due to a possible conflict of interest. The vote was 4 aye, 1 abstention; motion carried. (Attachment #3)

Mr. Hansbauer signed the agreement with the Hamilton County Department of Environmental Services which provides for air pollution control services for Clermont County. The Board approved signing the contract in July, 2007, pending adoption of the air pollution resolution.

**1. Personnel Issues – a) Resignation of Elizabeth Cruse** - Ms. Lambert informed the Board that Elizabeth Cruse, WIC dietician, had submitted her resignation and it had been accepted on 9/28/07 (Attachment #4).

Ms. Lambert requested the Board consider changing the status of Jennifer Vesper, WIC dietician, from part-time to full-time. She noted this would make up a portion of the hours lost by Elizabeth Cruse's resignation. However, if anticipated additional part-time staffing changes occur in the near future, Ms. Lambert stated she would ask the Board to consider filling the vacancy with a full-time position which would make up the shortage of work hours in the WIC Program.

Mr. Cadwallader made a motion to change the work status of Jennifer Vesper, WIC dietician, from part-time to full-time, effective October 15, 2007. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. (Attachment #5)

**7. Proposed License Fee Revisions for Swimming Pool Program** – Ms. Lambert presented the proposed 2008 license fees for the swimming pool program. She noted the proposal represented a 2.2% increase in fees.

Following a review of the proposed fees, Mr. Hamilton made a motion to accept the proposed fees for the Swimming Pool Program as presented. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

**8. 1<sup>st</sup> Reading of Resolution Adopting Revised License Fees for Public Swimming Pools & Spas, Individual Special Use Pools and Public School Swimming Pools** – Ms. Lambert conducted the first reading of the resolution establishing revised license fees for public swimming pools and spas, individual special use pools and public school swimming pools pursuant to Ohio Revised Code Section 3709.09 and 3709.21.

**9. Proposed License Fee Revisions for RV Parks and Campground Program** – Ms. Lambert presented the proposed 2008 license fees for the RV Park and Campground Program. She noted the proposal represented a 7% increase in fees.

Following a review of the proposed fees, Mr. Crum made a motion to accept the proposed fees for the RV Parks and Campground Program as presented. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

**10. 1<sup>st</sup> Reading of Resolution of Revised License Fees for Recreational Vehicle Parks, Recreation Camps, Combine Park Camps and Temporary Parks and Camps** – Ms. Lambert conducted the first reading of the resolution establishing revised license fees for recreational vehicle parks, recreation camps, combined park camps temporary parks and camps pursuant to Ohio Revised Code Section 3709.09 and 3709.21.

**11. Proposed License Fee Revisions for Tattoo/Body Piercing Program** – Ms. Lambert presented the proposed 2008 license fees for the Tattoo/Body Piercing Program. She noted the proposal represented an 3.9% increase for fixed facilities and an 8% increase for temporary licenses.

Following a review of the proposed fees, Mr. Crum made a motion to accept the proposed fees for the Tattoo/Body Piercing Program as presented. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

**12. 1<sup>st</sup> Reading of Resolution of Revised License Fees for Tattoo Operations, Body Piercing Operations, Combined Tattoo/Body Piercing Operations and Temporary Tattoo/Body Piercing Operations** - Ms. Lambert conducted the first reading of the resolution establishing revised license fees for tattoo operations, body piercing operations, combined tattoo/body piercing operations and temporary tattoo/body piercing operations pursuant to Ohio Revised Code Section 3709.09 and 3709.21.

**13. Proposed License Fee Revision for Marina Program** – Ms. Lambert presented the proposed 2008 license fee for the Marina Program. She noted that the proposal represented a 13% reduction from the 2007 fees.

Following a review of the proposed fees, Mr. Cadwallader made a motion to accept the proposed fees for the Marina Program as presented. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

**14. 1<sup>st</sup> Reading of Resolution of Revised License Fees for Marinas** – Ms. Lambert conducted the first reading of the resolution establishing revised license fees for marinas pursuant to Ohio Revised Code Section 3709.09 and 3709.21.

**15. Financial Audit Results** – Ms. Lambert reported there were no findings or recommendations made in the final audit report for fiscal year 2006. The Board of Health, as an “audit committee of the whole” reviewed and discussed the results of the Health District’s 2006 audit.

**16. Lease for Postage Machine at Nursing Division** – Ms. Lambert informed the Board that the current lease for the postage machine located at the Nursing Division office was expiring the end of October. She noted that due to the large volume of mail generated by the WIC program, the cost of the postage machine lease is covered by the WIC grant. Ms. Lambert reported the bid from the current supplier, Neopost, was lower than the bid submitted from Pitney Bowes. In addition, if the Health District continues to lease with Neopost, it would not be necessary to set up a second postage-by-mail account. Ms. Lambert stated that any signed lease contract would be very clear that the Health District would own the machine at the end of the lease. She recommended the Board approve entering into a 48 month lease with Neopost for a postage machine for the Nursing Division.

Following a review of the recommendation, Mr. Hamilton made a motion to enter into a 48 month lease with Neopost for a postage machine for the Nursing Division. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

### **Approval of Minutes**

Mr. Hansbauer asked if there were any additions or corrections to the minutes of the September Board of Health Meeting. There were no additions or corrections.

Mr. Cadwallader made a motion to approve the minutes of the September 12, 2007, Board of Health meeting. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

**Payment of Bills** – Ms. Lambert presented the Health District’s bills for the Board’s review. During the Board’s review of the bills listed on the summary sheet, a duplicate entry, payable to the American Red Cross, was identified. Mr. Crum made a motion to pay the bills as presented, with the corrected amount to the American Red Cross. The motion was seconded by Mr. Hamilton. The vote was all aye, motion carried. (Attachment #6)

**Additional Appropriation for WIC Fund** – Mr. Cadwallader made a motion to approve an additional appropriation for the WIC Fund in the amount of \$31,000. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. (Attachment #7)

### **OLD BUSINESS**

**1. Public Health Nuisances-** Ms. Lambert presented the addresses of the properties to be considered as public health nuisances.

Following a review of the files, Mr. Crum made a motion to declare the properties listed on Attachment #8 public health nuisances and if corrections are not made within the allotted time

frame, to refer the cases to the Health District's legal counsel for appropriate action. The motion was seconded by Mr. Hamilton. The vote was all aye, motion carried. (Attachment #8)

**2. Code Violations** – Ms. Lambert presented the addresses of the properties to be declared in violation of code.

Following a review of the files, Dr. Miller made a motion to declared the properties listed on Attachment #9 in violation of code and if corrections are not made within the allotted time frame, to refer the cases to the Health District's legal counsel for appropriate action. The motion was seconded by Mr. Hamilton. The vote was all aye, motion carried. (Attachment #9)

**Other Information -**

a) Ms. Lambert presented the Board members a copy of the seasonal flu pamphlet the Health District will be distributing throughout the County.

b) Ms. Lambert noted that she had delayed the 2<sup>nd</sup> reading of the proposed local sewage regulations in order to allow affected parties a reasonable amount of time to review the regulations and provide their comments. The 2<sup>nd</sup> reading will be held at the November meeting.

**ADJOURMENT**

Dr. Miller made a motion to adjourn the meeting at 8:35 p.m. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

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JAMES HANSBAUER, PRESIDENT

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CARLOS HAMILTON, V-PRESIDENT

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DR. WILLIAM MILLER

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ANDREW CRUM

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LARRY CADWALLADER

Respectfully Submitted

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