

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

The monthly meeting of the Clermont County Board of Health was held on February 14, 2007. Carlos Hamilton, Vice President, called the meeting to order at 7:30 p.m. Mr. Hamilton led the Board members and guests in the Pledge of Allegiance.

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

Others present included: Marty Lambert, Health Commissioner; Robert Wildey, Director of Water & Waste; Deena Elliott, Director of Nursing; Kevin Jester, Director of Plumbing; Rob Perry, Director of Environmental Health; Jon Polstra and Anita Thomas, Sanitarians in the Environmental Health Division; Donna Hart, Administrative Assistant; and others listed on Attachment #1.(Attachment #1)

New Blackwater Holding Tank Variance Request – Mr. Wildey reported that all homeowners requesting approval to use blackwater holding tanks were present. Ms. Lambert recommended the Board approve the new blackwater holding tank variance requests, # 13 & 14:

- 13. Pickelheimer – 3014 Sugartree Road, Tate Township ((7-V-07)
- 14. Middendorf – 4507 Concord Meadows, Williamsburg Township (9-V-07)

Mr. Cadwallader made a motion to grant a blackwater holding tank variance to the new applicants #13 & 14. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. The homeowners each received a letter indicating the terms and conditions of the approval, including a reminder that all homeowners must obtain a temporary occupancy from the Building Department before they occupy their new home. Ms. Lambert also stressed to the homeowners that from this date forward they must attend the Board of Health meeting each month until their system has been installed, inspected and has received a “yellow tag”. In addition, if they are occupying the home, they must bring a copy of their pump ticket(s) to the meeting to verify they are having the blackwater holding tank pumped every month.

Variance for Distance from Limiting Layer (#15, 16 & 17) - Ms. Lambert presented the variances submitted for properties located at 6518 Manila Road, 6800 Garrison Spurling and Swings Corner Point Isabel Road. She stated that the State’s new sewage rules require a minimum of 12 inches between the surface of the ground and the first limiting layer of soil and a large portion of Clermont County soils do not meet this requirement.

Following a review of the variances, Mr. Crum made a motion to approve the distance from limiting layer request for the properties located at 6518 Manila Road, Goshen Township (5-V-07); 6800 Garrison Spurling, Wayne Township (6-V-07); and the Roberson property located on Swings Corner Point Isabel Road, Tate Township (8-V-07), contingent on the homeowners’ agreement to all terms and conditions specified by the Health District. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Blackwater Holding Tank Variance Extension Requests (#1 - 9) - Mr. Wildey reported that the homeowners requesting an extension to their blackwater holding tank variance request, with the exception of #6 (Fink), had signed in and their paperwork was in order. Ms. Lambert recommended the Board approve

the renewal requests for # 1, 2, 3, 4, 5, 7, 8, 9, 10, 11 & 12.

- 1) Bolmer – 2661 Freedom Trail, Jackson Township (3-V-07)
- 2) Breuer, 1958 Antioch Road, Tate Township (144-V-06)
- 3) Brunk, 2238 Clermont Meadows, Monroe Township (142-V-06)
- 4) Dishion - 3082 Sugartree, Tate Township (25-V-04)
- 5) Eaton & Diehl – 3310 Taylor Road, Wayne Township (8-V-06)
- ~~6) Fink – 16047 Colonial Drive, Williamsburg Township (54-V-06)~~
- 7) O'Connor, 2229 SR 232, Monroe Township (140-V-06)
- 8) Piening, 3046 Bachelier Road, Pierce Township (143-V-06)
- 9) Pope - 3140-A Shirley Drive, Monroe Township, (1-V-07)
- 10) Reese – 4717 Creekstone Ridge, Goshen Township (2-V-06)
- 11) Walker – 2739 Davis Road, Tate Township (4-V-07)
- 12) *Callahan - 6897 Goshen Road, Goshen Township (31-V-03)

Mr. Crum made a motion to grant a 1 month extension for the blackwater holding tank renewals #1, 2, 3, 4, 5, 7, 8, 9, 10, 11 & 12. 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.

Walnut Court Manufactured Home Park Hearing –

Ms. Lambert reported that Walnut Court Manufactured Home Park has a lengthy history of recurring violations and in the past the ownership has shown a lack of cooperation in maintaining the park in substantial compliance with Manufactured Home Park rules.

Mr. Perry presented a brief inspection history of the park. He noted that Walnut Court had been cited to the Board for failure to comply in January, 2005. A park representative had failed to attend the Board meeting but the violation was finally resolved.

During a routine inspection in April, 2006, Anita Thomas, Sanitarian in the Environmental Health Division, had identified 24 violations. After 5 follow-up inspections, one of the violations still had not been corrected. The violation concerned large ruts and sinkholes on Lot 32. The violation continues to exist 10 months after it was identified and brought to the attention of the manager and the park ownership.

The park manager, Debbie Jowers, was present and admitted that the violation still existed but stated that she was not sure what was causing the problem or how to correct it.

Paul Queener, a contractor who had done work in the park in the past, was present. He stated that he felt the problem could be resolved but it would require that the entire lot be built up since the lot was lower than the surrounding areas.

Following a discussion of the problem and possible remedies, Ms. Lambert stated while there may be several options for correcting the problem, tonight's hearing was not being held to tell the owner how to fix the problem, only that it must be corrected.

It was the consensus of the Board that the owner of Walnut Court Manufactured Home Park be required to submit in writing, by February 23, 2007, how the drainage problem on Lot 32 will be corrected and a timeline on when work will be started and completed.

Mr. Hamilton expressed concern about the number of violations found on the routine inspection (24) in April, 2006. Mr. Perry noted that the total number was not a real problem with the park, the problem was with obtaining compliance. Several reinspection trips are routinely required before compliance can be obtained.

Mr. Crum made a motion to proceed with legal action against Walnut Court Manufactured Home Park. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Ms. Lambert informed the park manager, Debbie Jowers, that a summary would be sent to the owner outlining the Board's action and informing him that he must submit a letter to the Health District by February 23, 2007, listing a course of action and a timeline for correcting the violation. The owner will also be informed that the Board of Health had approved proceeding with legal action against Walnut Court Manufactured Home Park, noting that legal action could be halted if compliance is obtained.

NEW BUSINESS.

1) Personnel Issues

a) Executive Session – No Executive Session was held.

b) Emergency Response Coordinator – Ms. Lambert informed the Board that the vacant Emergency Response Coordinator position had been filled internally. Tim Kelly, Registered Sanitarian in the Environmental Health Division, was selected for the position. Ms. Lambert requested the Board approve the salary adjustment recommended.

Mr. Cadwallader made a motion to approve a salary adjustment for Tim Kelly as listed on Attachment #2. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #2)

c) Renewal of Dr. Halvonik's Contract – Ms. Lambert requested the Board approve renewing Dr. Halvonik's contract with the recommended increase.

Mr. Crum made a motion to renew Dr. Halvonik's contract for a period of one year with the recommended increase in compensation. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #3)

2. Fourth Reading of Resolution for Revised Public Swimming Pools and Spas, Individual Special Use Pools, Public School Swimming Pools, Recreational Vehicles Parks, Recreation Camps, Combined Park Camps, Temporary Parks and Camps, Tattoo Operations, Body Piercing Operations, and Combined Tattoo/Body Piercing Operation Fees – Ms. Lambert noted that 4 Board of Health members must be present to adopt fees, therefore the 4th reading and resolution adoption will be brought back to the March meeting.

3. Adoption of Resolution Adopting Revised Fees as listed in #2 – Resolution will be presented for adoption at the March Board Meeting.

4) Contract Addendum with MRDD for Consultative Services – Ms. Lambert requested the Board approve the contract addendum with MRDD which provides compensation for a Health District nurse to assist in training and consulting during an Every Child Succeeds' pilot program. The pilot program runs from December 1, 2006 through June 30, 2007.

Mr. Crum made a motion to grant approval to the Health Commissioner to sign the contract addendum with MRDD providing compensation for Health District training and consulting services. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #4)

5) Professional Services Agreement for Septic Rehab Program – Ms. Lambert requested the Board approve the Professional Services Agreement for the Septic Rehab Program. She noted that the program would have \$106,000 available in 2007 to assist homeowners in the repair or replacement of their sewage treatment system and would provide \$5,000 in compensation to the Health District for administrative services. Ms. Lambert stated that while the \$5,000 does not begin to compensate the Health District for the time spent on the program, a few serious nuisances are eliminated each year, making it an excellent use of funds.

Mr. Crum made a motion to approve the Professional Services Agreement for the 2007 Septic Rehab Program. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #5)

6) Subsidy Agreement with Ohio Department of Health for Smoking Ban – Ms. Lambert presented the Subsidy Agreement from ODH providing \$5,697 in additional subsidy to fund activities related to the smoking ban enforcement. She noted that the subsidy would cover the cost of follow-up on reported violations, educational materials to businesses and the public and the cost of providing a monthly summary report of actions to ODH during the period before the rules and fines are in place. Ms. Lambert related that initially the Health District's response to complaints would be "low key", mostly in the form of education and information. Ms. Lambert stated that the Prosecutor's Office had indicated an issue with paragraph D of the agreement and she requested the Board approve the agreement contingent on the approval of the Prosecutor.

The Board discussed the issue of fines to be levied against those violating the smoking ban. Ms. Lambert reported that at this time there is not a lot of information from the State on how the fines would be handled but the Health District will address the issue in a reasonable manner.

Mr. Crum made a motion to approve the smoking ban subsidy agreement with Ohio Department of Health, contingent on approval of the agreement by the Prosecutor's Office. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #6)

7. Approval of Long Term Disability Plan – Ms. Lambert reported that carriers for long term disability coverage for employees had been reviewed and Lincoln Financial offered slightly better coverage than

the current carrier with a savings of almost \$1,000 per year. She recommended the Board approve changing carriers for long term disability coverage.

Mr. Cadwallader made a motion to approve the change of carriers for employees' long term disability coverage and to grant approval for the Health Commissioner to sign the contract. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

8. Proposed Resolution for Abandonment of Water Wells – Ms. Lambert reported that during the most recent ODH audit of the private water program the Health District was told it needed to adopt a private water sealing permit to ensure the proper sealing of wells that are a part of a private water system. She noted that there are only a few wells that are sealed each year and the inspection would require a field trip and basic paperwork for a total staff time of approximately 1 hour. Ms. Lambert recommended the permit fee be set at \$45.00.

Mr. Crum made a motion to approve the proposed fee of \$45.00 for a private water system sealing permit and fee for the inspection of the sealing of a private water system and to conduct the first reading of the resolution. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

9. Proposed Resolution to Change All Fees Referencing Household Sewage Treatment Systems – Ms. Lambert presented the proposed resolution to expand the definition of existing fees to cover small flow treatment systems. She noted that current fees are in place to cover the small flow systems and the Prosecutor's Office had recommended changing all fees referencing Household Sewage Treatment Systems to Sewage Treatment Systems.

Mr. Cadwallader made a motion to approve the proposed revisions and to conduct the first reading of the resolution changing all fees referencing Household Sewage Treatment Systems to Sewage Treatment Systems which pursuant to Ohio Revised Code Section 3718.02 includes both household sewage treatment systems and small flow onsite treatment systems. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

10. Proposed Resolution for Revised Basic System Assessment Fees – Ms. Lambert presented the proposed resolution which would increase the basic system assessment fee by \$5. She noted that the BSA fee had not been adjusted since 2003 and the proposed increase did not represent a 100% recovery rate. Ms. Lambert related that in addition to the increased operating costs for items such as vehicles, fuel, etc., the staff spends a great deal of time educating homeowners on a one-to-one basis in order to help them understand how their systems operate and how to properly maintain them. While there is no charge to homeowners for these individual consultations, it adds a great deal to the operating costs of the program.

Mr. Crum made a motion to approve the proposed revision and to conduct the first reading of the resolution establishing a revised fee of \$30 for sewage treatment system Basic System Assessments. The motion was seconded by Mr. Cadwallader, the vote was all aye, motion carried.

Mr. Crum asked if it was possible to add a fuel surcharge to the inspection fees. Ms. Lambert stated

that she would check into the issue with the Prosecutor's Office.

11. Proposed Resolution for Revised Plumbing Fees – Ms. Lambert presented the proposed resolution revising the basic plumbing fees from \$11 per fixture to \$15 per fixture and a minimum permit fee of \$45 which would cover up to 3 fixtures. She noted that Clermont County's current plumbing permit fees are the lowest in the area and even with the proposed increase, the fees would still be among the lowest. Ms. Lambert stated that plumbing fees have not been increased since 2003 and while the proposed fees do not represent a 100% recovery rate, they will give a reasonable increase in revenues to assist in covering the increases in operating costs.

Mr. Crum made a motion to approve the proposed fee revisions and to conduct the first reading of the resolution establishing revised plumbing fees. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

12. Proposed Resolution for Revised Nursing Fees – Ms. Lambert presented the proposed resolution revising several nursing fees. She noted that currently there are different fees for children's shots based on whether they are eligible to receive ODH vaccine or if they receive purchased vaccine. Ms. Lambert recommended that the cost of shots for all children up to age 19 be the same. The recommendation was to charge \$10 for the office visit plus the cost of the vaccine.

Ms. Lambert recommended the cost of adult vaccines be increase from \$20 to \$25 per vaccine plus the actual cost of the vaccine. She noted that although the Health District routinely provides Hepatitis B and tetanus shots to employers as a service to the community, the activity should not be supplemented with Health District funds. The proposed increase will allow the Health District to recover the current cost of providing this service.

Ms. Lambert recommended the cost of a TB skin test be increased from \$15 to \$20. She noted that this test consists of two visits to the Nursing Division which requires approximately ½ hour which includes the visit plus the associated paperwork, follow-up and data entry. Based on the average agency cost per hour, a \$20 fee is necessary to cover costs to the agency.

Ms. Lambert also recommended that a consultation fee of \$40 be established for an international travel initial visit. She related that the nurses spend a significant amount of time with these individuals in order to provide detailed information on CDC recommendations for immunizations for their travel destinations and answering their questions. Ms. Lambert noted that in order to avoid spreading the cost of this service to all adult immunizations, a separate consultation fee should cover the time involved with this program. She noted that the Nursing Division currently sees travelers from other counties and even other states because our fees are so low, and even with this additional fee, our fees would still be lower than most other Health Districts who offer the service.

Mr. Crum asked if it would be possible to have one fee for international travel clients who live in Clermont County and another fee for international travel clients who live outside of Clermont County. Ms. Lambert noted that she would investigate the issue but recommended the Board proceed with the

proposed fee increases as presented and if it is possible to set a separate fee for out-of-county residents,

it could be added at a later time.

Mr. Crum made a motion to approve the proposed fees as presented and to conduct the first reading of the resolution establishing revised fees for administration of TB skin tests, administration of vaccines to children with vaccines not supplied by the Ohio Department of Health, administration of vaccines to adults and to establish a fee for international travel consultations. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

13. Proposed Resolution for Position Abolishment - Ms. Lambert stated that the additional Environmental Technician position that was created and filled in early 2006 was based on 2005 inspection data. She noted that the reduction in building permits in the region has resulted in a 34% decline in building permits being issued in Clermont County. This in turn had a direct impact on plumbing and septic permits and the workload in both the Plumbing and Water & Waste Divisions. Ms. Lambert noted that the shared Environmental Technician position was intended to take the increasing workload off the plumbing inspectors but the anticipated continuation of an increase in building in the county did not occur. She noted that there is clearly no longer a boom in building in Clermont County and there is not enough work to justify this position. Ms. Lambert recommended the Board approve the resolution abolishing one Environmental Technician position.

Mr. Cadwallader made a motion to adopt Resolution 2-07 abolishing a position from the Health District's table of organization, effective March 3, 2007. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #7)

14. Revision of 2007 Budget – Ms. Lambert requested the Board formally reduce the 2007 budget by \$188,000 in order to help better manage funds and to ensure the Health District does not dip into its cash reserves.

Mr. Crum made a motion to adopt the proposed 2007 budget revision. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #8)

15. Proposed 2008 Budget – Ms. Lambert presented the proposed 2008 Health District budget. She related that the proposed budget was a “bare bones” budget, reflecting only a 3% increase over the revised 2007 budget and a 3% increase from the township and villages. Ms. Lambert stated that the proposed fee increases should improve cost recovery and help get the Health District back to normal operations and if the current financial situation should improve, these appropriations could be increased to allow consideration of additional expenditures for equipment, benefits, etc.

Mr. Crum made a motion to adopt the proposed 2008 Health District budget. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #9)

Approval of Minutes

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

Mr. Cadwallader made a motion to approve the minutes of the January 10, 2007, Board of Health meeting. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

Payment of Bills - Following a review of the bills listed on the summary sheet, Mr. Crum made a motion to pay the bills as presented. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #10)

Amended Certificate for Revised Funds – Mr. Cadwallader made a motion to approve the amended certificate for the funds adjusted by the adopted 2007 budget revision. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #11)

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 reduce the time for correcting the public health nuisance at 2603 Gaylord Avenue to two weeks (2/28/07) and to declare all properties listed on Attachment #12 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. Cadwallader. The vote was all aye, motion carried. (Attachment #12)

2. Code Violations - Ms. Lambert presented the address of the properties to be considered in violation of code.

Following a review of the files, Mr. Crum made a motion to declare the properties listed on Attachment #13 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. Cadwallader. The vote was all aye, motion carried. (Attachment #13)

3. Vehicle Purchase – Ms. Lambert reported that as a result of the Board's request at the January meeting, Charlie Benjamin had attempted to obtain bids from local dealers on a truck similar to the vehicle listed on the state's bid list. Mr. Benjamin found that most local dealers would not even take time to talk with him or give him a bid since they knew they could not come close to matching the state bid list prices for vehicles. She noted that due to the necessary budget revisions, the Health District would not be purchasing any vehicles in 2007.

Other Information -

a) Ms. Lambert reminded the Board that the District Advisory Council meeting would be held on Thursday, March 15, 2007, at the Engineer's Office on Clermont Center Drive. Dinner will be served at

6:30 followed by the Trustee Association meeting at 7:15 and the District Advisory Council meeting at 7:45. Mr. Crum was reappointed by the Licensing Council as their candidate for the Board of Health.

b) Ms. Lambert informed the Board that the staff would be participating in an all day exercise on President's Day. The staff will transport and set-up a Point of Dispensing (POD) at two locations, process a small number of simulated vaccinations at each location, and then tear-down and transport the supplies back to Permit Central. She related that there would be a full day of activity for the staff and invited the Board members to visit one or both of the sites during the exercise.

ADJOURNMENT

Mr. Cadwallader made a motion to adjourn the meeting at 9:40 p.m. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

JAMES HANSBAUER, PRESIDENT

CARLOS HAMILTON, V-PRESIDENT

DR. WILLIAM MILLER

ANDREW CRUM

LARRY CADWALLADER

Respectfully Submitted
