

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

The monthly meeting of the Clermont County Board of Health was held on March 14, 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; Robert Wildey, Director of Water & Waste; Deena Elliott, Director of Nursing; Kevin Jester, Director of Plumbing; Rob Perry, Director of Environmental Health; Donna Hart, Administrative Assistant; and others listed on Attachment #1.(Attachment #1)

Variance for Distance from Limiting Layer (#14) - Ms. Lambert presented the variance submitted for the property located at 2347 Haul Lane, Tate Township (10-V-07). 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 variance, Mr. Crum made a motion to approve the distance from limiting layer request for the property located at 2347 Haul Lane, Tate Township (10-V-07), contingent on the homeowner's agreement to all terms and conditions specified by the Health District. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

Request to Vary from Connection to Public Sewers (#15) – Ms. Lambert presented the variance request submitted by Julie Haverkos, owner of the property located at 5963 Cook Road. She related that there were 6 homes on Cook Road in the Wood Creek Subdivision which were built after the sewer line was installed for Wilderness Trail but the 6 homes were never connected to the public sewer – all six properties have onsite sewage disposal systems. During the routine BSA inspections in 2006 these homes were identified as being assessable to public sewers and were ordered to connect. Ms. Haverkos was requesting an extension of 5 years to make the connection.

Ms. Lambert noted there were 2 issues of concern to the staff that should be considered carefully by the owners of the properties on Cook Road. One was the fact that at the present time Cook Road can be “cut”, but after it is repaved connections would have to be made to the sewers by boring under the road, a much costlier process. She related that the Engineer would not commit to the timeframe for repaving Cook Road. The second issue was the fact that in the future OEPA will begin requiring permits for existing discharging systems. If this occurs homeowners will need to bring their systems into compliance with the OEPA permit requirements.

Ms. Haverkos spoke to the Board regarding her situation. She related that she had moved into the home 6 years ago and had contracted with Winelco to maintain the aerobic system on her property. Ms. Haverkos stated that she did not know the sewer line was across the road until the Health District identified the location of the line in 2006. Ms. Haverkos stated that she had obtained a bid of \$20,000 to make the connection with cutting the road or \$32,000 if it was necessary to bore the road. She stated that

she was not financially able to come up with this amount of money in 12 months and requested extension of 5 years to connect her property to the public sewer.

Ms. Lambert related that staff did not oppose granting an extension for this property with the caveat that if or when the OEPA requires a permit for discharging systems, the existing system would have to meet the requirements or the property would have to connect to public sewers at that time.

Following further discussion, Ms. Lambert stated that a meeting could be set up with the Health District, Sewer District and the property owners to discuss possible options.

Mr. Crum made a motion to table the variance request until May, 2007. The motion was seconded by Dr. Miller.

Mr. Hamilton asked if there were similar areas in the county where residences were within 200 ft. of an existing sewer line but were unaware the line existed or that they were required to connect. Ms. Lambert stated that she was sure that other “pockets” of homes would be located as the BSA program was expanded. Mr. Hamilton suggested there may be a need to develop a policy to deal with similar situations as they were identified in the future.

There was no other discussion of the issue. The vote on the motion was all aye, motion carried.

Blackwater Holding Tank Variance Extension Requests (#1 - 13) - Mr. Wildey reported that the homeowners requesting an extension to their blackwater holding tank variance request, with the exception of #12 (Walker), had signed in and their paperwork was in order. Ms. Lambert recommended the Board approve the renewal requests for # 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, & 13.

- 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) Middendorf – 4507 Concord Meadows, Williamsburg Township (9-V-07)
- 8) O’Connor, 2229 SR 232, Monroe Township (140-V-06)
- 9) Piening, 3046 Bachelier Road, Pierce Township (143-V-06)
- 10) Pope - 3140-A Shirley Drive, Monroe Township, (1-V-07)
- 11) Reese – 4717 Creekstone Ridge, Goshen Township (2-V-06)
- ~~12) Walker – 2739 Davis Road, Tate Township (4-V-07)~~
- 13) *Callahan - 6897 Goshen Road, Goshen Township (31-V-03)

Mr. Cadwallader made a motion to grant a 1 month extension for the blackwater holding tank renewals #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 13. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. The homeowners will receive a letter indicating the terms and conditions of the variance renewals.

Variance Requested Tabled in September 2006 – Ms. Lambert presented the variance requesting an extension of time to connect to public sewers which was tabled for six months at the September, 2006 Board meeting. She noted the variance had been submitted by Florence Wolf on behalf of her son, Robert Wolf, owner of 661 Barg Salt Run Road. Ms. Lambert stated that at the September 2006 meeting, the Board had requested that in six months an update of the status of Robert Wolf's employment be provided and if he was still unable to work as a result of his disability, a letter from his physician documenting his inability to work be submitted at that time.

Ms. Wolf presented a letter from her son's doctor verifying his disabling condition and noted that within the past six months it had become necessary for her to move into her son's home to care for him. She related that it was still financially impossible for her son to afford to connect to the public sewer.

Ms. Lambert noted that Mr. Wolf may be a candidate for Septic Rehab Grant funds and suggested he apply for grant assistance. She related that applications were currently being taken and the meeting to determine who would receive funds would be held on April 30th.

Following consideration of this information, Mr. Hamilton made a motion to table the variance request until May, 2007, to allow time to determine if Mr. Wolf would be eligible for grant funds to assist him in connecting to public sewers. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

NEW BUSINESS

1) 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 conducted the 4th reading of the proposed resolution.

2) Adoption of Resolution 3-07 Adopting Revised Fees as listed in #1 – Mr. Crum made a motion to adopt Resolution 3-07 establishing revised license fees for 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 operations pursuant to Ohio Revised Code Section 3709.09 and 3709.21, effective April 1, 2007. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. (Attachment #2)

3) 2nd Reading of Resolution for Abandonment of Water Wells - Ms. Lambert conducted the 2nd reading of the proposed resolution authorizing the adoption of a private water system sealing permit and fee for the inspection of the sealing of a private water system. The 3rd and final reading will be held at the April Board of Health Meeting.

4) 2nd Reading of Resolution to Change Fees – Ms. Lambert conducted the 2nd reading of the proposed 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 3rd and final reading will be held at the April Board of Health meeting.

5) 2nd Reading of Resolution for Revised BSA Fees – Ms. Lambert conducted the 2nd reading of the proposed resolution establishing revised fees for sewage treatment system activities pursuant to Ohio Revised Code Section 3709.09 and 3709.21. The 3rd and final reading will be held at the April Board of Health meeting.

6) 2nd Reading of Resolution for Revised Plumbing Fees – Ms. Lambert conducted the 2nd reading of the proposed resolution establishing revised plumbing fees pursuant to Ohio Revised Code Section 3709.09 and 3709.21. The 3rd and final reading will be held at the April Board of Health meeting.

7) 2nd Reading of Resolution for Revised Nursing Fees – Ms. Lambert conducted the 2nd reading of the proposed 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 establishing a fee for international travel consultations. The 3rd and final reading will be held at the April Board of Health meeting.

Ms. Lambert stated that all proposed fees are posted on the Health District's website, displayed at Permit Central and at Nursing and will be published in the newspaper prior to adoption.

8) 2007 Revised Budget Correction - Ms. Lambert reported that there had been some confusion between the Health District and Auditor's Office regarding the establishment of the revised budget for the new sewage fund and as a result the Health District's budget had been set \$80,000 over what was really intended. She related that a motion was needed to revise the Auditor's Health District budget down to match what the Board of Health intended to approve in February, 2007.

Mr. Hamilton made a motion to approve the correction of the Auditor's Health District budget to match the revised budget approved by the Board of Health in February, 2007, removing \$80,000 from the budget as reflected in the Auditor's statement. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

9) Memorandum of Understanding with OEPA for NPDES Permits - Ms. Lambert related that the new Ohio Department of Health sewage rules prohibit discharging systems of any type unless the system is authorized by an OEPA NPDES permit and OEPA has eliminated the possibility of installing a discharging system on any lot created after January 1, 2007. However, existing lots that have never been developed and replacement systems may be able to obtain discharging permits under an OEPA general permit. She noted that instead of each homeowner dealing with OEPA and receiving an individual permit, the Health District must agree to manage the NPDES permits granted under the general permit in Clermont County if these existing lots and replacement systems are to be eligible for discharging systems. Ms. Lambert recommended the Board grant approval for the Health Commissioner to pursue and sign a Memorandum of Understanding with the OEPA to manage the NPDES permits for the properties which meet the guidelines.

Dr. Miller made a motion to grant approval for the Health Commissioner to pursue and sign a Memorandum of Understanding with OEPA to manage NPDES permits issued to Clermont County

properties. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Mr. Hamilton asked if this was the permit for which the OEPA planned to charge homeowners \$200 and if it was, what would OEPA do with the money. Ms. Lambert reported that it was the \$200 permit and she did not know what the money would be used for - the money would go directly from the homeowner to the OEPA and the Health District would not be involved with this permit fee.

10) Agreement with ODH for Manufactured Home Park Inspections – Ms. Lambert informed the Board that pending new rules identify the Ohio Department of Health or their authorized representative as being responsible for conducting inspections relating to the installation of homes in manufactured home parks. She noted that Health District staff have been doing these inspections for years but now will need to enter into an agreement with ODH and become their authorized representative in order to continue to do the inspections. Ms. Lambert stated that the Health District will be able to develop fees, outside of the manufactured home park license fees, to cover the costs of the inspections. She requested the Board grant authority to pursue the agreement with ODH. Ms. Lambert stressed to the Board that it was the intention of ODH that the inspections be done at a local level and if the Health District did not enter into an agreement, ODH would likely contract with a neighboring county to come into Clermont County and do the inspections for the Health District.

Following a discussion of the issue, Dr. Miller made a motion to grant authority to the Health Commissioner to pursue an agreement with the Ohio Department of Health to conduct installation inspections of manufactured homes in manufactured home parks. The motion was seconded by Mr. Cadwallader. The vote was as follows: Dr. Miller, aye; Mr. Hansbauer, aye; Mr. Hamilton, aye; Mr. Cadwallader, aye; Mr. Crum, abstained. The motion carried.

Ms. Lambert stated that she would present proposed fees for these inspections at the April meeting.

11) Approval to Contract with Greater Cincinnati Health Council for Shared Administrative Assistant – Ms. Lambert reported that the Medical Reserve Corp grant was approved and \$10,000 will be received to support efforts with volunteer recruitment and training. She requested the Board approve using a portion of the money to help support an administrative assistant who would manage the database and records for all southwest Ohio counties. Ms. Lambert stated that the \$2,000 used to assist in funding the position would be money well spent.

Mr. Hamilton made a motion granting approval for the Health Commissioner to enter into a contract with the Greater Cincinnati Health Council for a shared administrative assistant. The motion was seconded by Mr. Crum. 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 February Board of Health Meeting. There were no additions or corrections.

Mr. Cadwallader made a motion to approve the minutes of the February 14, 2007, Board of Health meeting. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

March 14, 2007

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 #3)

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, Dr. Miller made a motion to declare all properties listed on Attachment #4 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 #4)

2) Update on Walnut Court MHP – Ms. Lambert reported that the timeline for making required corrections had been received from the park owner and staff considered it to be reasonable. The Prosecutor's Office was made aware of the situation in the event corrections are not made as required.

Other Information -

a) Ms. Lambert reported that the Green Acres MHP trial was scheduled for Friday, March 16, 2007.

b) Ms. Lambert reported that the President's Day exercise went very well, with all staff participating. She related that each of the new emergency response trailers is setup to transport supplies and equipment for two POD's (Point of Dispensing). One trailer was used for the exercise and POD's were set up at Amelia High School and Clermont Northeastern High School. The staff acted as POD staff, volunteers and citizens. Ms. Lambert noted that the exercise was conducted under the leadership of Julianne Nesbit, Assistant Health Commissioner, and she had done an excellent job. Everyone learned a lot from the exercise and the day was very productive.

Ms. Lambert reminded the Board that the District Advisory Council (DAC) meeting would be held on Thursday, March 15, 2007, at the Engineer's Office on Clermont Center Drive. She noted that although there were three Licensing Council terms expiring this year, the DAC would only be appointing two members since staff had not be successful in identifying a representative from the campground program who was willing to serve on the Council.

c) Mr. Cadwallader asked about a report on a sewage pumper dumping on a Half Acre Road property. Mr. Wildey reported that the Health District was informed of the situation about a month after it had occurred and had investigated. He related that although there wasn't enough evidence left at the site to legally do anything, a warning letter had been sent to the alleged offender and his activity in the County will be monitored.

d) Ms. Lambert reported that a complaint had been received from a person who was tattooed by a "scratcher" and the Union township police were cooperating in locating the individual and stopping the operation.

ADJOURNMENT

Dr. Miller made a motion to adjourn the meeting at 8:45 p.m. The motion was seconded by Mr. Hamilton. The vote was all aye, motion carried.

JAMES HANSBAUER, PRESIDENT

CARLOS HAMILTON, V-PRESIDENT

DR. WILLIAM MILLER

ANDREW CRUM

LARRY CADWALLADER

Respectfully Submitted
