

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

The monthly meeting of the Clermont County Board of Health was held on March 10, 2010. James Hansbauer, President, called the meeting to order at 7:30 p.m. Mr. Hansbauer led the Board members and guest in the Pledge of Allegiance.

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

Others present included: Marty Lambert, Health Commissioner; Julianne Nesbit, Assistant Health Commissioner; Robert Wildey, Director of Water and Waste; Rob Perry, Director of Environmental Health; Deena Elliott, Director of Nursing; Donna Hart, Administrative Assistant; and others as listed on Attachments #1 & #2.

Blackwater Holding Tank Request & Extensions - (#'s 1, 2, 3, 4, 5 & 6) - Ms. Lambert noted that paperwork for homeowners #'s 1, 2, 3, 4, & 5 who were requesting renewal for their blackwater holding tank variances was in order. Homeowner #6 – Payne – was not in attendance

Mr. Cadwallader made a motion to grant a 1 month extension for the blackwater holding tank renewals #1 through #5.

1. Callahan - 6897 Goshen Road, Goshen Township (31-V-03)
2. Steinmann – 1687 Swope Road, Tate Township (3-V-09)
3. Stubbe – 3517 Nordyke Road, Pierce Township (15-V-09)
4. Burgher – 1220 Mulligan Lane, Miami Township (16-V-09)
5. Helton – 2231 West Road, Monroe Township – (19-V-09)

The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. The homeowners will receive a letter indicating the terms and conditions of their variance renewal.

The homeowner who was not in attendance will be contacted regarding the non-renewal of the blackwater holding tank variance.

Two Systems on One Parcel - Ms. Lambert presented the variance submitted for the property located at 1874 Carnes Road, Monroe Township. The homeowner requested approval for two residences, each with its own septic system, to be located on the same parcel. Ms. Lambert noted this was an existing situation which was identified when the owner made application to replace the existing manufactured home with a new unit. She related that both systems were functioning properly and no nuisances were found.

Following a review of the variance request and accompanying documentation, Dr. Rickabaugh made a motion to approve the variance request for 1874 Carnes Road, Monroe Township (9-V-10) allowing the existing situation of two residences, each with a separate household sewage disposal system, to be located on one parcel. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Two Residences on One Septic System - Ms. Lambert presented the variance submitted for the property located at 5660 SR 133, Jackson Township. The homeowner requested approval for the two residences located on this property, one stick built home and one manufactured home, to remain connected to one septic system. Ms. Lambert noted this was an existing situation which staff identified during a routine

inspection. She related that a problem had been identified during the inspection but the repair had been made and the system passed the reinspection.

Tom Smith, son-in-law of the owner Faye Meece, informed the Board this was a situation that had existed since the 1970's when his in-laws had allowed Mrs. Meece's brother and his wife to locate a manufactured home on the property and connect to the existing leach line system. Mr. Smith noted the homes connected to the system were occupied by three elderly people. He also noted only one home had laundry facilities and the total water usage for the two homes was low. Mr. Smith stated that his father-in-law had recently died and it would present a financial hardship for his mother-in-law, Mrs. Meece, or Mrs. Meece's brother and his wife to install a separate system for the manufactured home.

Robert Brinson, whose parents reside in the manufactured home, stated that when his parents were no longer occupying the manufactured home it would be removed from the property leaving only the house connected to the existing septic system.

Following a review of the variance request and accompanying documentation, Dr. Rickabaugh made a motion to approve the variance request for 5660 SR 133, Jackson Township (8-V-10), with the stipulation that when either of the residences is vacated by the current occupants, the unoccupied residence will be disconnected from the existing sewage treatment system leaving only one residence connected to the system. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Private Water System Variance – Ms. Lambert presented the variance submitted for the property located at 6117 Goshen Road, Stonelick Township. The homeowner requested approval to vary from the current requirements for the proposed upgrade to the existing private water system. Ms. Lambert noted that it was extremely difficult and costly to bring an existing private water system up to current regulations and staff felt a homeowner should not be prohibited from making improvements even though the system would not meet current regulations.

Mr. Wildey, Director of Water and Waste, informed the Board that the current private water regulations were being revised to address the issue of upgrades to existing private water systems.

Following a review of the variance and accompanying documentation, Mr. Cadwallader made a motion to approve the request to vary from the current requirements in the Ohio Revised Code Private Water System rules for the proposed upgrade to the existing private water system on the property located at 6117 Goshen Road, Stonelick Township (7-V-10). The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

Isolation Distance – Tabled at 12/09, 1/10 and 2/10 Meetings – Ms. Lambert presented the variance request for the property located at 1896 Seven Lands Drive, Goshen Township. She noted the variance had been tabled at the December, January and February meetings. The owner requested approval to vary from the 10 ft. isolation distance requirement for the room under construction over the deck on the rear of the residence. The lid to the pretreatment tank of the sewage treatment system can only be accessed through an opening in the floor of the deck. She noted the owner did not obtain the necessary permits and approvals prior to starting construction and construction was nearly complete when the variance request was submitted to the Board for consideration.

Mr. Smith presented copies of the drawings he had submitted to the Building Department. He stated the plans had been approved and he had paid all outstanding fees and penalties but the Building Department would not proceed with the inspection process until his variance request was approved by the Board of Health. Mr. Smith noted the floor of the room was built on a deck level to the floor of the house which created an air gap between the ground and the floor. He stated the room was planned to be used as a sitting room and would not be used as a bedroom. He also noted he would insulate and install OSB board underneath the decking and put lattice around the bottom of the deck to insure air flow and to keep any animals out. Mr. Smith admitted he had made a huge mistake by not obtaining the necessary approvals and permits prior to starting construction and stated he was willing to write a letter of disclosure to be kept in the Health District files outlining the situation and the actions he was willing to take in the future in the event of system failure or the property changing owners.

Although the Board of Health voiced concerns regarding potential health issues resulting from a living area being located over a tank lid of a sewage treatment system, following Mr. Smith's assurance of airflow under the floor of the addition, insulating the floor and installing OSB board underneath the decking, along with his record of excellent system maintenance, Dr. Rickabaugh made a motion to approve the isolation distance variance request for the property located at 1896 Seven Lands Drive, Goshen Township (18-V-09). The approval was contingent on a written disclosure being provided by Mr. Smith detailing the situation and the actions he was willing to take in the event of system failure or the property changing ownership. The disclosure statement will be kept on file with the Health District in order to allow any future owners of the property to be fully aware of the situation. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Ms. Lambert stated she would release the variance approval to the Building Department upon receipt of Mr. Smith's disclosure letter.

New Business:

1. Personnel Issues –

a) Ms. Lambert related that after reviewing the staffing for the WIC program it was determined there was a need to increase dietician hours to address the surge in requests for WIC services seen over the past two years. She noted there was sufficient funding in the budget to allow an increase in the hours for one of the part time dieticians from 24 hours per week to 32 hours per week. She requested the Board approve the increase in hours for Emily Beattie, WIC dietitian.

Mr. Cadwallader made a motion to approve the increase in hours from 24 hours per week to 32 hours per week for part time employee Emily Beattie, WIC dietician, effective March 8, 2010. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #3)

b) Ms. Lambert requested the Board's approval to submit a letter of intent to the Center for Disease Control (CDC) to host an apprentice for a period of two years. The purpose of the program is to get more people trained in real world, front line experience in the field of public health. The apprentices will be Bachelor of Science level individuals typically without much experience. She noted there were no costs to the host agency except for desk, computer, phone, etc. Ms. Lambert related that if the Health District was selected to host an apprentice, she would use the position to continue the efforts in obesity prevention with the Clermont CAN program.

Dr. Rickabaugh made a motion to approve the Health District's submittal of a letter of intent to host a CDC apprentice. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

2. 3rd Reading of Resolution Establishing a Fee for Plumbing Permit Extensions - Ms. Lambert conducted the 3rd reading of the resolution establishing a fee of \$45 for permit extensions when work is delayed or suspended for more than six months pursuant to Ohio Administrative Code Section 4101:3-1-01; Section 101.3 and 4101:1-1-01; Section 105.4. She noted that no comments had been received regarding the proposed fee.

3. Adoption of Resolution Establishing a Fee for Plumbing Permit Extensions – Dr. Rickabaugh made a motion to adopt Resolution 2-10 establishing a plumbing fee for permit extensions when work is delayed or suspended for more than six months pursuant to Ohio Administrative code Section 4101:3-1-01; Section 101.3 and 4101:1-1-01; Section 105.4, effective April 1, 2010. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #4)

4. 3rd Reading of Resolution Adding Bond Language to Plumbing Regulation - Ms. Lambert conducted the 3rd reading of the resolution revising Regulation 420-01 to clarify registration and bonding requirements of persons engaged in the plumbing business. She noted that no comments had been received regarding the proposed resolution.

5. Adoption of Resolution Adding Bond Language to Plumbing Regulation - Mr. Cadwallader made a motion to adopt Resolution 3-10 revising Regulation 421-01 to clarify registration and bonding requirement of persons engaged in the plumbing business. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #5)

6. Proposed Revision of Public Health Nuisance Regulation Adding Solid Waste Language – Ms. Lambert reported that following further investigation of the revisions discussed at the February Board of Health meeting, it was decided to table for the present time the proposed revisions of the public health nuisance regulations which would have created stricter regulations than those of the OEPA for solid waste.

7. 2nd Reading of Resolution to Adopt a Food Service Level I Training Fee – Ms. Lambert conducted the 2nd reading of the resolution establishing a fee pursuant to Ohio Revised Code Sections 3709.09 and 3709.21 for the provision of Level I Food Safety training also referred to as Person-in-Charge Food Safety Training. She noted the proposed resolution was posted on the Health District's website for public comment.

8. Proposed Vehicle Purchase – Ms. Lambert reported that after further investigation of the availability of suitable vehicles from local dealers and comparison of the prices as well as the operating costs, she was recommending the Board approve the purchase of a Ford Ranger from 32 Ford. She related that if something happens to one of the 2 full size trucks that are used to tow the trailers, she will recommend the purchase of a full-size truck at that time.

Dr. Rickabaugh made a motion to approve the purchase of a Ford Ranger truck from 32 Ford. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Ms. Lambert reported she had calculated the cost of the Health District paying employees to use their personal vehicles versus the Health District owning its own vehicles and at this point it is still more cost effective for the Health District to own its vehicles.

9. Adoption of Resolution Declaring End to Public Health Emergency – Ms. Lambert reported that due to the very low H1N1 activity level, she was requesting the Board approve a resolution declaring an end to the H1N1 Public Health Emergency.

Mr. Cadwallader made a motion to adopt Resolution 4-10 declaring an end of the H1N1 Public Health Emergency in Clermont County effective 3/11/2010. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #6)

10. Adoption of Resolution Returning Funds to Environment Health Fund 708 from Infrastructure Fund 722 – Ms. Lambert noted that in October 2009 funds in the amount of \$100,000 had been advanced from the General Fund to the Infrastructure Fund in order to allow adequate cash flow during the H1N1 response activities. She related the payment had finally been received and requested the advanced funds be returned.

Dr. Rickabaugh made a motion to adopt Resolution 5-10 authoring the return of cash to the Environmental Health Fund (Fund #708) from the Infrastructure Fund (Fund #722) in the amount of \$100,000. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #7)

11. County Health Rankings Report - Ms. Lambert presented the 2010 County Ranking Report noting that although Clermont County did fine in the overall rankings, the county was 82nd out of 88 in the health behaviors rankings. She noted health behaviors rankings compare rates of adult smoking, adult obesity, binge drinking, motor vehicle death rates, teenage births and rates of Chlamydia. Ms. Lambert stated the Health District will be focusing on these health issues and she hopes to make these rankings a topic of discussion around the county for 2010.

Dr. Rickabaugh asked about the smoking cessation program offered by the Health District. Deena Elliott, Director of Nursing, stated that the program is conducted at no cost to the Health District or the participants. She reported the second and third sessions, with a total of 60 participants, had just been completed. She noted that the program was very popular and hopefully it would be possible to hold another session.

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 10, 2010, Board of Health meeting. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

Payment of Bills – Ms. Lambert presented the Health District’s bills for consideration. Following the Board’s review, Dr. Rickabaugh made a motion to pay the bills as presented. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #8)

OLD BUSINESS

1. Public Health Nuisances/Code Violations – Ms. Lambert presented the addresses of 21 properties to be considered as public health nuisances/code violations.

Following a review of the files, Mr. Cadwallader made a motion to declare the properties listed on Attachment #9 public health nuisances/code violations and if corrections are not made within the allotted time, to refer the cases to the Health District’s legal counsel for appropriate action. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #9)

2. Update on H1N1 Activities – Ms. Lambert informed the Board she was in the process of writing the final report on the Health District’s H1N1 response efforts.

Other Information – Ms. Lambert stated the District Advisory Council meeting will be held on March 18th at 7:30 p.m., in the Engineer’s conference room on Clermont Center Drive. She noted that Mr. Hansbauer’s term on the Board expires this year.

Ms. Lambert informed the Board that Thursday, March 11, 2010, was designated as World Plumbing Day.

Ms. Lambert noted the Employee Recognition dinner, which had been rescheduled from December, would be held on March 25th at Pattison Park Lodge.

ADJOURNMENT

Mr. Cadwallader made a motion to adjourn the meeting at 8:22 p.m. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

JAMES HANSBAUER, PRESIDENT

ANDREW CRUM, V-PRESIDENT

DR. WILLIAM MILLER

LARRY CADWALLADER

DR. JANET RICKABAUGH

Respectfully Submitted
