

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

The monthly meeting of the Clermont County Board of Health was held on May 13, 2009. 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, present
 Dr. Janet Rickabaugh, present Andrew Crum, present
 Larry Cadwallader, present

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

Isolation Distance Variance Request – Ms. Lambert presented the variance request for 375 White Street, Miami Township. She informed the Board that this a Septic Rehab Program property and due to the extremely small size of the lot, a replacement system would be less than 10 ft. from the property line.

Following a review of the proposed variance information, Dr. Rickabaugh made a motion to approve the isolation distance variance request for 375 White Street, Miami Township (4-V-09). The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

Sewer Connection Variance Request – Ms. Lambert presented the variance request for 2957 Bethel Concord Road, Tate Township (5-V-09). She related the Board had granted a variance for exemption to sewer connection in 1995 to John Dehner. Ms. Lambert noted that variances are typically only for the owner of the home making the request and are only valid as long as there are no changes in the current conditions of the property. She stated the property is now owned by John Dehner’s sons, Richard and John Dehner and that Robert Wildey, Director of Water & Waste, had visited the property earlier in the day and found evidence the existing septic system is malfunctioning.

Richard Dehner was present and addressed the Board regarding the variance request. He stated he did not believe the septic system was failing. He explained that someone had dug an 8 to 9 inch hole at the end of the leach field which he had filled in and he had also moved dirt over other areas of the system. Mr. Dehner noted that an engineer friend had advised him that adding dirt to the area was all that was needed.

Mr. Wildey presented photos of the site he had taken during his visit to the property earlier in the day. He explained what he had found and noted that the discharge shown in the photos smelled like sewage and was the only wet area, the surrounding property was dry. Mr. Wildey also noted that it appeared that the home was not currently occupied.

Mr. Dehner stated his daughter was in the process of moving into the home. He related that a renter had occupied the home for over a year and when the renter was finally evicted in April, 2009, it was found there was over \$5,000 in damage to the property. Mr. Dehner informed the Board that he and his brother were financially unable to pay for the repairs made by the renters and the estimated \$12,000 cost of connecting to public sewers. He noted the property contained 17 acres and there was no drainage from

the sewage system to other properties.

Ms. Lambert stated that State Code requires properties within 200 ft. of public sewer be required to connect regardless of their status – properly functioning systems are given a longer timeframe to connect than malfunctioning systems but all residences within 200 ft. are required to connect. She noted that having sewage on the ground constitutes a public health nuisance even if it doesn't drain onto neighboring property or the owner feels it is OK.

Following consideration of the variance request, Dr. Rickabaugh made a motion to deny the request to extend the variance for the property located at 2957 Bethel Concord Road, Tate Township (5-V-09). The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

Mr. Dehner questioned his right of appeal of the Board's action, noting that the Board of Health was ordering him to connect to a sewer system he felt was inadequate since he believed the lift station dumped sewage into the creek near the property on occasion.

Ms. Lambert informed Mr. Dehner that any appeal of the Board of Health's action would have to be directed through the court. She stated that any information on the public sewer system would have to come from the Sewer District and recommended Mr. Dehner contact Tom Yeager to get information on the connection, assessment fees, and the overflow situations in his area.

New Business:

1. Personnel Issues – a) Retirement of Nancy Burke, R.N. and Approval to Rehire on Part-time Basis - Ms. Lambert informed the Board she had received a letter from Nancy Burke, R.N., informing her of Nancy's plan to retire on May 29, 2009 and requesting approval to return to work on a part-time basis 60 days after her retirement date.

Mr. Crum made a motion to accept Nancy Burke's request to retire, effective May 29, 2009. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. (Attachment #3)

Mr. Cadwallader made a motion to approve Nancy Burke's request to return to work on a part-time basis on August 3, 2009. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

b) Retirement Gift – Ms. Lambert requested the Board approve providing a retirement gift and cake for the small retirement reception which was being planned for Nancy Burke. She estimated the cost at approximately \$170.

Dr. Miller made a motion that the Board provide a gift and cake for Nancy Burke's retirement reception. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

Ms. Lambert invited the Board to attend the retirement reception which is scheduled to begin at noon on May 29, 2009 in the Nursing Division office.

c) Adoption of Resolution 6-09 Abolishing Two Nursing Positions from the Table of Organization – Ms. Lambert requested the Board adopt the resolution which abolishes two nursing positions. One position is a full-time position currently held by Denise Franer who does newborn home visits. Due to the loss of the newborn home visiting contract with MRDD resulting from elimination of newborn home visiting in the Help Me Grow Program, the funding for this full-time position will no longer be available.

Ms. Lambert stated she would like to offer Ms. Franer a part-time position working 24 hours a week which will fill the void left by Nancy Burke's retirement. Ms. Franer would primarily work on the Senior Safety Fall Prevention grant and possibly do a few newborn home visits if a small amount of funding to continue these visits is received from Family & Children First and/or a Mental Health & Recovery Board mini-grant. The second position to be abolished is a vacant part-time nursing position.

Dr. Rickabaugh made a motion to adopt Resolution 6-09 abolishing two positions from the Health District's Table of Organization. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #4)

Mr. Crum made a motion to approve hiring Denise Franer, R.N. to a 24 hour per week part-time position, effective August 1, 2009. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

2. 3rd Reading of Resolution for Revised High Weeds Section of Nuisance Regulation –

Ms. Lambert conducted the 3rd reading of the resolution revising Section 8 – Miscellaneous of Public Health Nuisance Regulation 6-04 and renumbering the regulation to correspond to the Health District's revised 2008 numbering sequence. She noted that no comments had been received regarding the proposed revisions.

3. Adoption of Resolution 7-09 Revision Section 8 (Miscellaneous) of Public Health Nuisance Regulation 6-04 and Renumbering the Regulation to Correspond to the Health District' Revised 2009 Numbering Sequence – Ms. Lambert presented Resolution 7-09 and requested the Board move to adopt the revised regulation.

Mr. Cadwallader made a motion to adopt Resolution 7-09 revising section 8 – Miscellaneous – of Public Health Nuisance Regulation 6-04 and renumbering the regulation to correspond to the Health District's revised 2008 numbering sequence. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #5)

4. Mileage Reimbursement Adjustment – Section 4.8 of Personnel Policy – Ms. Lambert requested the Board take action to adjust the amount of the Health District's current mileage reimbursement in order to keep the rate at the same rate as the State which simplifies grant reimbursements. She noted the State is reducing the reimbursement amount from \$.50.5 to \$.45 per mile for cars.

Mr. Crum made a motion to adjust the Health District's mileage reimbursement from \$.505 to \$.45 as listed in Section 4.8 of the Health District's Personnel policy. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. (Attachment #6)

5. Request for Smoking Administrative Review – Ms. Lambert informed the Board that a request had been received from the Mt. Carmel Pub for a Smoking Administrative Review. The review will be held at the next date scheduled by the Board for reviews, June 24, 2009, at 9:00 a.m. at Permit Central. She noted that the owner had been notified of the date and time.

Blackwater Holding Tank Request & Extensions - (#1) - Ms. Lambert noted that paperwork for the homeowners requesting renewal for their blackwater holding tank variances was in order.

Mr. Crum a motion to grant a 1 month extension for the blackwater holding tank renewals:

1. Callahan - 6897 Goshen Road, Goshen Township (31-V-03) *
2. Steinmann – 1687 Swope Road, Tate Township (3-V-09)
3. Davis – 107 Green Falls Drive, Franklin Township (2-V-09)

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 their variance renewal.

Approval of Minutes

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

Dr. Rickabaugh made a motion to approve the minutes of the April 8, 2009, Board of Health meeting. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Mr. Hansbauer asked if there were any additions or corrections to the minutes of the April Special Session of the Board of Health. There were no additions or corrections.

Dr. Rickabaugh made a motion to approve the minutes of the April 29, 2009, Special Session of the Board of Health. 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 consideration. Following the Board’s review, Mr. Cadwallader made a motion to pay the bills as presented. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #7)

OLD BUSINESS

1. Public Health Nuisances/Code Violations- Ms. Lambert presented the addresses of 6 properties to be considered as public health nuisances/code violations.

Following a review of the files, Dr. Miller made a motion to declare the 6 properties listed on Attachment #8 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 Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #8)

2. Sewer Connection Notices - Ms. Lambert presented the address of the properties to receive orders to connect to public sewers.

Following a review of the file, Mr. Crum made a motion to require that the properties listed on Attachment # 9 receives orders to connect to public sewer within the timeframe given. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #9)

3. Update on I & I Inspections – Ms. Lambert reported she had signed the Inflow & Infiltration inspection contract with the Sewer District and the contract should go to the Commissioners for approval at the next session on May 20th. If everything is approved, the plumbers should be able to start the I & I inspections after Memorial Day. She noted the Sewer District will be making all of the contacts with homeowners and at this point, the inspections will be done on a voluntary basis.

4. Update on Health District’s H1N1 Swine Flu Activities - Ms. Lambert informed the Board the

Health District's H1N1 response activities were slowing down. She noted that 4 or 5 staff had focused full-time for approximately two weeks on H1N1 – monitoring reports, getting information out to community partners and keeping everyone updated on the ever changing guidelines from ODH and CDC. Ms. Lambert related the staff would continue to monitor the situation for the next 2 to 4 weeks and then everyone would be waiting to see if H1N1 returns in the fall. She will keep the Board updated and inform them if or when Clermont County has its first confirmed case.

Other Information:

- a) Ms. Lambert reported that the results of the adult Health Needs Assessment was posted on the Health District's website. She noted the youth survey was still ongoing and results would be posted when available.

- b) Ms. Lambert noted that she had asked Rob Perry to follow-up on Mr. Crum's request that the Health District look for ways to become a "greener" agency. She related the county is also looking at various "green" initiatives and Mr. Perry attended a county meeting on the issue. Although there are no specific recommendations at this time, the Health District will continue to look for ways to "go green" in addition to current recycling and conservation practices.

- c) Ms. Lambert reported there was no additional information on the proposed ODH sewage system repair grants from EPA. The Septic Rehab Program repairs are waiting for approvals of the title searches and the environmental assessments. The designs are completed and will be released as soon as the approvals are received.

- d) Ms. Lambert stated she had not received any additional information on the Health District's request to join the County's health benefits group. The request will go to the Commissioners for consideration and an answer should be received by the June Board of Health Meeting.

ADJOURNMENT

Dr. Miller made a motion to adjourn the meeting at 8:15 p.m. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

JAMES HANSBAUER, PRESIDENT

ANDREW CRUM, V-PRESIDENT

DR. WILLIAM MILLER

LARRY CADWALLADER

DR. JANET RICKABAUGH

Respectfully Submitted
