

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

The monthly meeting of the Clermont County Board of Health was held on May 12, 2010. 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, absent
	Dr. Janet Rickabaugh, present	Andrew Crum, present
	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; Kevin Jester, Director of Plumbing; Dr. James Kaya; Donna Hart, Administrative Assistant; Melissa Jones, Administrative Secretary; and others as listed on Attachments #1 & #2.

Glendon Biofilter – Ms. Lambert presented the variance submitted for the property located at 5152 Benton Road, Stonelick Township (12-V-10). The request was for approval to install a Glendon Biofilter system.

Following a review of the variance, Mr. Crum made a motion to approve the request for the use of a Glendon Biofilter system on the property located at 5152 Benton Road, Stonelick Township (12-V-10), contingent to the owner’s 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.

Isolation Distance Request – Ms. Lambert presented the variance request for the property located at 2838 US 52, Franklin Township (13-V-10). The owner requested approval to vary from the 10 ft. isolation distance requirement for a new double wide manufactured home to replace the existing single wide.

Mr. Wildey, Director of Water and Waste, informed the Board that the property located at 2838 US 52 is an extremely small lot. The existing single wide is over a portion of the septic tank and the new double wide would also be on a portion on the existing septic tank. There are no other options for this lot. He recommends approval of the variance based on this information.

Mr. Benjamin, the property owner, was present and understood that this situation could affect future inspections on the household sewage treatment system.

Following a review of the variance request, Mr. Cadwallader made a motion to approve the isolation distance variance request for the property located at 2838 US 52, Franklin Township (13-V-10), contingent on the homeowner’s agreement to all terms and conditions stipulated by the Health District. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

Request to Continue Use of Failing System for Approximately 6 Months – Tabled at 3/10 Meeting -Ms. Lambert presented the variance submitted for the property located at 5268 Benton road, Stonelick Township (10-V-10). The homeowner had been ordered to connect an illegal laundry discharge line into the existing sewage treatment system and was requesting approval to delay the required alteration.

Mr. Paul was present and addressed the Board regarding his variance request. He noted that he planned to build a new home and install a new household sewage treatment system on an adjacent property and did not want the added cost of redirecting the laundry discharge line. Mr. Paul noted the existing house would be torn down and sewage system would be abandoned as soon as his new residence was completed. He is currently working the the site plan and should be able to obtain building permits next week.

Ms. Lambert stated that there were 2 options for this property that would eliminate the nuisance issue. The laundry line could be tied into the existing household sewage treatment system or they could cease doing laundry at this property.

Mr. Paul stated that this situation had been going on for more than 50 years. He feels that the expense involved in this plumbing repair is unnecessary.

Kevin Jester, Director of Plumbing, stated that a mechanical vent and trap could be installed without much expense. He further stated that Mr. Paul would need to exercise water conservation in the home to ensure that the household sewage treatment system could handle the additional water usage.

Following a review of the variance request, Mr. Crum made a motion to deny the variance request for 5268 Benton Road, Stonelick Township, (10-V-10). Ms. Lambert reiterated that a plumbing permit must be obtained and the laundry line tied into the household sewage treatment system or all laundry activity must cease at the residence. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

Mr. Paul was asked to contact the Health District if he had any problems or questions.

Board of Health Hearing – Mama’s Grill

Ms. Lambert advised the Board that she had received a fax from Mr. Burgess, Attorney for Mama’s Grill, asking for a continuance until June 9, 2010 due to health issues and she had granted an extension until the June 9th meeting.

Mr. Hansbauer stated that he was concerned that this problem had been going on for more than 6 years and the Board was just now hearing about the problems at this facility.

Ms. Lambert stated that over the past 6 years the facility would have many violations at the initial inspection but that they do make corrections upon the reinspection. The problems at the facility will be found again on a future inspection. When this type of situation occurs it is more difficult to compile a failure to comply history.

Ms. Lambert informed the Board that the Environmental Health staff would be meeting with representatives of Mama’s Grill and their legal counsel within the next month to discuss corrective measures. A sanitarian will be re-inspecting within the next 30 days.

The Board discussed the possibility of obtaining critical violations for facilities.

Ms. Lambert stated at the present time that the information could be provided but would require many man hours to compile. Currently this information is not available electronically.

Ms. Lambert noted that she has information on a food service computer program that is currently being used in Middletown. She will update the Board when more information is available on this program.

Blackwater Holding Tank Request & Extensions – (#s 1,3,4,5 & 6) – Ms. Lambert noted that paperwork for homeowners #'s 1,2,3,4,5 & 6 who were requesting renewal for their blackwater holding tank variances was in order.

Mr. Crum made a motion to grant a 1 month extension for the blackwater holding tank renewals #1,3,4,5 and 6.

1. Callahan – 6897 Goshen Road, Goshen Township (31-V-03)
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)
6. Payne – 6555 Goshen Road, Goshen Township (6-V-10)

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.

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

NEW BUSINESS:

1) Personnel Issues –

a) Ms. Lambert related to the Board that after posting the internal job posting for the Administrative Assistant II position that only one person expressed interest and that was Melissa Jones. Ms. Lambert recommended that the Board approve the promotion of Melissa Jones to Administrative Assistant II with a 10% salary increase effective 6/1/2010.

Dr. Rickabaugh made a motion to approve the promotion with the recommended increase. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #3)

b) Ms. Lambert related that with Joy Kohlem's retirement the State required Board action to appoint a new Clermont County Registrar. She recommended that Melissa Jones be appointed for this position effective 6/1/2010. She stated that she wanted to remove this function from the Fiscal Officer position and combine it with the Administrative Assistant II position.

Mr. Crum made a motion to approve the appointment of Melissa Jones to the position of Clermont County Registrar effective 6/1/2010. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

c) Ms. Lambert related that in July 2009 the policy that was adopted in July 2007 limiting vacation accrual amounts went into effect and staff are now limited to 200 hours of accrued vacation time. Any time accrued beyond that is simply lost. With the onset of the H1N1 emergency vacation requests were limited and staff was assured that nobody would lose vacation hours because of the temporary moratorium. In March the H1N1 emergency was lifted and the few staff that had lost vacation were notified that they would have their lost amounts returned on May 1, 2010. Although everyone worked very hard to make sure their accrued totals did not exceed the 200 hour cap, one staff member, Donna Hart, has not had time to take vacation because of her CDBG job duties and training for her upcoming Fiscal Officer appointment. Ms. Lambert requested approval to return all vacation hours lost from October 2009 through December 2010 to Donna and that all time be reconciled no later than December 2010.

Mr. Crum made a motion to approve the return of lost vacation time to Donna Hart. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

d) Ms. Lambert related that the declaration of the H1N1 public health emergency caused our newly adopted Public Health Emergency Response policy to go into effect. One component of the policy is to give employees an additional personal day for every 80 hours of overtime that they worked. Four employees exceeded the 80 hours of overtime. The four employees are Jackie Lindner, Julie Bryant, Barb Warren and Deena Elliott. Ms. Lambert requested that the Board award these individuals 1 additional personal day to be used by March 30, 2011.

Mr. Cadwallader made the motion to award an extra personal day for Jackie Lindner, Julie Bryant, Barb Warren and Deena Elliott to be used by March 30, 2011. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

2) 1st Reading of Resolution Establishing a Fee Pursuant to Ohio Revised Code Sections 3709.09 and 3709.21 for the provision of Plan Review For Proposed Tattoo & Body Piercing Establishments -

Ms. Lambert conducted the 1st reading of the resolution establishing a plan review fee of \$100.00 for a Plan Review fee for proposed Tattoo & Body Piercing Establishments.

3) Order to Connect to Sewer- Ms. Lambert requested the Board to order immediate connection to the public sanitary sewer system for the property located at 2957 Bethel Concord Road . Mr. Dehner, the property owner had requested that an exemption be given for this connection. The exemption was denied but a one year extension was granted in April 2009. A recent inspection showed that the leach line system serving this rental property is failing.

Dr. Rickabaugh made a motion to order the property at 2957 Bethel Concord Road tie into public sewer within 30 days. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #4)

4) Pathways Contract – Ms. Lambert presented the contract for the Pathways Program with Grant Vocational School for the next school year.

Mr. Crum made a motion to enter into the contract for the Pathways Program with Grant Vocational School for the 2010/2011 school year. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #5)

5) House Bill 186 (Manufactured Home Parks) – Ms. Lambert related that the Ohio House has passed amended substitute House Bill 186 and that means huge impacts on Manufactured Home Parks. It transfers regulatory authority related to manufactured home parks from the Ohio Department of Health to the Manufactured Homes Commission. She will keep the Board informed as new information is available.

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

Mr. Cadwallader made a motion to approve the minutes of the April 14, 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, Mr. Crum made a motion to pay the bills as presented. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #6)

OLD BUSINESS

1. Public Health Nuisances/Code Violations – Ms. Lambert presented the addresses of 24 properties to be considered public health nuisances/code violatons.

Following a review of the files, Dr. Rickabaugh made a motion to declare the properties listed on Attachment #7 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 #7)

2. Sewer Connections – Ms. Lambert presented the addresses of 31 properties be ordered to connect to public sewer.

Mr. Cadwallader made a motion to order the properties listed on Attachment #8 to tie into public sewer. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #8)

3. CDC Apprentice – Ms. Lambert presented information on the CDC Apprentice. She noted that she believes chances are very good of having an Apprentice assigned and expected notification by the end of May.

Other Information – Mr. Crum suggested that all administrative meetings for a Food Service Operation be an agenda item in the future in order for the Board to be aware of potential upcoming problems. He asked if problem facilities should be inspected more frequently. Rob Perry, Director of Environmental Health, noted that problem facilities are inspected more frequently.

Mr. Crum stated he feels that the sanitarians are doing a good job but may need additional tools to assist them in maintaining compliance in problem facilities. Rob Perry stated that one new tool they will have is to require that managers attend the Person In Charge Training which will be effective 8/1/2010.

Ms. Lambert presented information to the Board regarding the sewage problem in Newtonsville. The Sewer District and Commissioners are working toward a solution for the Village. The Board briefly discussed issues related to declaring the area a public health nuisance.

Robert Wildey, Director of Water and Waste, stated that he had attended a Village Council meeting on May 11, 2010 and learned the OEPA was open to the idea of installing a package plant in the Village. The Village will try to get CHIP money in the amount of \$300,000.00 to cover the cost of the plant.

ADJOURNMENT

Dr. Rickabaugh made a motion to adjourn the meeting at 8:30 p.m. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

JAMES HANSBAUER, PRESIDENT

ANDREW CRUM, V-PRESIDENT

DR. WILLIAM MILLER

LARRY CADWALLADER

DR. JANET RICKABAUGH

Respectfully Submitted
