

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

The monthly meeting of the Clermont County Board of Health was held on September 12, 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, present
	Carlos Hamilton, present	Andrew Crum, present
	Larry Cadwallader, present	

Others present included: Marty Lambert, Health Commissioner; Julianne Nesbit, Assistant Health Commissioner; Rob Perry, Director of Environmental Health; Robert Wildey, Director of Water And Waste; Donna Hart, Administrative Assistant; and others as listed on Attachment #1. (Attachment #1)

Two Homes on One Parcel/One System (#3) - Ms. Lambert presented the variance request submitted by the property owner at 1688 SR 749, Ohio Township. The owner requested approval to have two residences on one parcel with both residences connected to one sewage treatment system. She noted that although this is an existing situation, the sand filter system being used by the two residences is failing. Ms. Lambert related that staff recommended denying the variance due to the fact that there was sufficient space for each residence to have its own system.

Following a review of the request, Mr. Crum made a motion to deny the variance for the property located at 1688 SR 749, Ohio Township (39-V-07). The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

Isolation Distance (#4) - Ms. Lambert presented the variance request submitted by the property owner at 2220 Berry Road, Monroe Township (38-V-07). The owner requested to vary from the 10 ft. isolation distance requirement for the placement of a new manufactured home. Although the new home will be placed in the exact location as the existing home, staff determined during the site inspection that the old home had been placed too close to the sewage treatment system. Ms. Lambert related that this is a situation that has existed for many years and staff indicated there has been no negative impact on the system due to the home's placement within the 10 ft. isolation distance.

Following a review of the request, Dr. Miller made a motion to approve the isolation distance variance for 2220 Berry Road, Monroe Township (38-V-07), contingent on the homeowner'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.

Tabled Variances:

Three Structures on One System (#5) – Ms. Lambert presented the variance request submitted by the property owner at 3233 Cole Road, Pierce Township, which was tabled at the August Board meeting. Mr. Stanfield, homeowner, requested approval for three structures to be connected to one household sewage treatment system, an existing situation which he indicated he would like to maintain while the property is put up for sale. The variance was tabled in August at the homeowner's request in order to allow him time to obtain written documentation from his banker indicating the bank's willingness to record a notice on the deed which would act as an alert on the status of the sewage treatment system to a potential future owner.

Ms. Lambert reported that she had spoken with a representative from the bank and he informed her the bank could not record anything on a property deed. The bank can only record information on the mortgage which would not serve the needed purpose. She also stated that the Prosecutor's Office had informed her the Health District could not record such information on a deed. Since Mr. Stanfield is required to disclose septic system issues to potential buyers, Ms. Lambert related that an option the Board might consider would be requiring that Mr. Stanfield provide a copy of the disclosure form completed and signed at the time the property is put up for sale. The Prosecutor's Office had indicated failure to disclose this type of information on a property sale is a criminal offense.

Following a review of the tabled variance and additional information provided by the bank and the Prosecutor's Office, Mr. Crum made a motion to allow the three structures to remain connected to one system until the end of 2008, contingent on two of the structures remaining unoccupied and Health District receipt of a copy of the signed disclosure made at the time the property is put up for sale. The disclosure must be very clear in alerting any potential buyer of the status of the sewage treatment system, including the requirement that a separate sewage treatment system must be installed for each structure or two of the structures must be permanently disconnected from the existing system. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Biolet Composting Toilet/Grey Water System (#6) – Ms. Lambert informed the Board that the owners of the property at 897 Barg Salt Run had submitted a written request that their variance request to install a Biolet composting toilet be withdrawn from consideration. No further Board action was required.

High Weeds Complaints (#7) - Ms. Lambert stated that the owner of the vacant property with a valid high weeds complaint had not abated the nuisance situation and notice to appear before the Board was posted on the property. It was noted that the homeowner was not in attendance. She requested the Board grant approval to have the high weeds nuisance abated by the Engineer's Office and apply the expense as a tax lien on the listed property.

Following a review of the files, Mr. Crum made a motion to order the high weeds nuisance abated on the property located at 814 Wright Street, Wayne Township and the cost of abatement by the Engineer's Office be placed as a lien on the property to be paid as other taxes are paid. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

Blackwater Holding Tank Request & Extensions - (#1 & 2) - Mr. Wildey reported the paperwork for the homeowners requesting an extension to their blackwater holding tank variance requests was in order. Ms. Lambert recommended the Board approve the renewal requests for:

- 1) Brunk, 2238 Clermont Meadows, Monroe Township (142-V-06)
- 2) 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. 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.

Fee for Abatement of High Weeds Complaints – Ms. Lambert requested the Board certify the cost of abating the high weeds nuisance complaints on the two properties presented to the Board at the August meeting.

Mr. Crum made a motion to certify the cost charged by the Engineer's Office for abating the high weeds nuisance complaints at 4240 Zagar Road, Union Township, and 307 Sunset Drive, Tate Township, and to proceed with the process of placing the cost of abatement as a lien on each property's taxes. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. (Attachment's 2 & 3)

New Business

1. Personnel Issues – b) Employee Recognition Dinner - Ms. Lambert requested the Board continue its past practice of paying the rental cost for Pattison Park Lodge for the employee recognition dinner and to pay the dinner cost for the honorees and their guests. She noted that December 6th had been selected as the date of the dinner and two employees would be honored for their years of service.

Mr. Cadwallader made a motion to pay the cost of rental for Pattison Park Lodge for the employee recognition dinner and the dinner cost for the honorees and their guests. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

2. 2nd Reading of Resolution to Adopt Local Air Pollution Regulations – Ms. Lambert conducted the 2nd reading of the resolution adopting local air pollution control regulations.

3. Proposed 2008 Food Service Operation and Retail Food Establishment Fees, Vending Fees, Mobile Fees and Temporary Fees - Ms. Lambert reviewed the proposed fees. She noted she was not proposing an increase for four of the food category fees and only modest increases were proposed for the remaining categories. Ms. Lambert stated that the modest increases would maintain a 95% to 96% recovery rate for program costs. The proposed vending fees reflected an increase of 2.5%, the consumer price increase for 2006, which is the maximum increase allowed. The proposed temporary fees reflect an increase of \$1.00 per day for commercial operations and \$.50 per day for non-commercial temporaries. The proposed mobile operation fee is an increase of \$15 per mobile which would bring the recovery rate to approximately 80% of cost. She noted that the costs associated with inspecting mobiles that are licensed in other counties are not included in the fee calculations for mobile licenses.

Following a review of the proposed fees, Dr. Miller made a motion to accept the 2008 Food Operation Program fee revisions as presented. The motion was seconded by Mr. Cadwallader. The vote was as follows: Dr. Miller, aye; Mr. Cadwallader, aye; Mr. Hamilton, aye; Mr. Crum abstained due to a conflict of interest. The vote was 3 aye, 1 abstention, motion carried.

4. 1st Reading of Resolution to Adopt 2008 Food Service Operation and Retail Food Establishment Fees, Vending Fees, Mobile Fees and Temporary Fees – Ms. Lambert conducted the 1st reading of the resolution adopting revised Food Service Operation, Retail Food Establishment,

Vending, Mobile, and Temporary Event fees for 2008. Notices of the proposed revisions will be mailed to facilities licensed by the Health District.

5. Proposed 2008 FSO/FE Plan Review Fees – Ms. Lambert presented the proposed fee and category revisions for FSO/FE Plan Review fees. She noted that for 2007 she had asked the Environmental Health Division to track the time spent in each plan review and the resulting category revisions were based on this data. Ms. Lambert stated that she felt four categories would be adequate and in all cases the proposed 2008 plan review fees are significantly less than the same facility would have paid in 2007.

Following a review of the proposed plan review fee and category revisions, Mr. Crum made a motion to accept the revisions as presented. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

6. 1st Reading of the Resolution to Adopt Revised FSO/FE Plan Review Fees - Ms. Lambert conducted the 1st reading of the resolution adopting revised Food Service Operation/Retail Food Establishment plan review fees for 2008. Notices of the proposed revisions will be mailed to facilities licensed by the Health District.

7. Proposed 2008 Manufactured Home Park License Fees - Ms. Lambert presented the proposed license fees for Manufactured Home parks. She noted that less time being required for issues involving Green Acres resulted in a reduction in the total time spent in the Manufactured Home Park program. The savings can now be passed back to the parks in the form of reduced license fees.

Following a review of the revised fees, Mr. Crum made a motion to accept the revised fees as presented. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

8. 1st Reading of Resolution for Revised Manufactured Home Park License Fees – Ms. Lambert conducted the 1st reading of the resolution adopting revised Manufactured Home Park license fees for 2008. Manufactured home parks licensed by the Health District will be notified by mail of the proposed fee revisions.

9. 1st Reading of Local Sewage Rules – Ms. Lambert presented the proposed local sewage rules. She noted that local rules are based on Ohio Administrative Code which is referenced in the draft document along with the stricter codes the Health District has already adopted or is proposing to adopt.

Mr. Crum made a motion to accept the proposed local sewage rules as presented. The motion was seconded by Dr. Miller. The vote was all aye, motion carried

Ms. Lambert conducted the 1st reading of the resolution adopting the proposed local sewage rules. She noted that a post card would be sent to all potentially impacted entities informing them of the proposed rules. In addition to a notice in the local newspaper, the rules will be available on the Health District's website and in hard copy at the office.

10. Renewal of Contract with Sheriff for Collections - Ms. Lambert noted that the contract with the Sheriff's Office for delivery of collection notices was up for renewal. She stated that the process worked very well with the Sheriff's Office obtaining certifications on delivery of 71% of the notices. She requested the Board renew the contract with the Sheriff's Office.

Mr. Cadwallader made a motion to approve renewal of the Memorandum of Agreement with the Clermont County Sheriff's Office to provide service of legal notice of unpaid operation permit or inspection fees and accrued late payment penalties. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #4)

11. Medical Reserve Corp Capacity Grant – Ms. Lambert reported there was an opportunity for the Health District to apply for a \$5,000 grant from NACCHO for the Medical Reserve Corp. She noted that the grant was similar to the \$10,000 grant the Health District was awarded in 2006.

Dr. Miller made a motion to approve applying for the \$5,000 Medical Reserve Corp Grant. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

12. Ohio Youth Tobacco Survey – Ms. Lambert informed the Board that the Health District had received a request from the Ohio Department of Health for assistance with the Ohio Youth Tobacco Survey. The survey will be conducted at Felicity-Franklin Middle School in early 2008. She noted that if the Health District assisted with the survey, staff would be required to attend training in Columbus. Ms. Lambert related that if the Board chose to participate in the survey, she would recommend sending only 1 person for training since the Nursing Division staff is short-staff at the present time.

Following a discussion of the issue, Mr. Crum made a motion to send one staff to Columbus for training to assist in the Ohio Youth Tobacco Survey to be conducted at Felicity-Franklin Middle School in 2008. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Approval of Minutes

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

Mr. Cadwallader made a motion to approve the minutes of the August 8, 2007, Board of Health meeting. 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 review. Following a review of the bills listed on the summary sheet, Mr. Cadwallader made a motion to pay the bills as presented. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. (Attachment #5)

Amended Certificate/Additional Appropriation for Preventive Fund - Mr. Crum made a motion to approve the additional appropriation and amended certificate for the Preventive Fund in the amount of \$9,340. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #6)

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 the properties listed on Attachment #7 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. Crum. The vote was all aye, motion carried. (Attachment #7)

Executive Session – At 8:25 p.m. Dr. Miller made a motion to go into Executive Session to discuss personnel issues. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

At 8:50 p.m., Mr. Crum made a motion to return to Regular Session. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

Mr. Crum made a motion to accept the salary adjustments for Health District employees as proposed. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #8)

Other Information -

a) Ms. Lambert noted that a group picture of the Board would be taken at the October meeting if all members were present.

ADJOURNMENT

Dr. Miller made a motion to adjourn the meeting at 8:55 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
