

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

The monthly meeting of the Clermont County Board of Health was held on February 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, present
	Larry Cadwallader, present	

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

**New Blackwater Holding Tank Request** - Ms. Lambert reported the owner of the property located at 655 Goshen Road, Goshen Township, was requesting approval to use a blackwater holding tank until such time as the soil conditions were favorable for the completion of the septic system.

Following a discussion of the request, Mr. Crum made a motion to approve a blackwater holding tank variance request for the property located at 655 Goshen Road, Goshen Township (6-V-10). The motion was seconded by Dr. Rickabaugh. The homeowner will be given a letter indicating the terms and conditions of the approval, including a reminder that all homeowners must obtain a temporary occupancy from the Building Department before they occupy their new home. Ms. Lambert also stressed to the homeowner that from this date forward they must attend the Board of Health meeting each month until their system has been installed, inspected and has received a “yellow tag”. In addition, if they are occupying their home, they must bring a copy of the pump ticket(s) to the meeting to verify the blackwater holding tank is being pumped every month.

**Glendon Biofilter** – Ms. Lambert presented the variance submitted by the Cincinnati Nature Center for the property located at 4763 Tealtown Road, Union Township (2-V-10). The request was for approval to install a Glendon Biofilter system.

Following a review of the variance, Mr. Cadwallader made a motion to approve the request for the use of a Glendon Biofilter system on the property located at 4763 Tealtown Road, Union Township (2-V-10), contingent on the owner’s agreement to all terms and conditions specified by the Health District. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

**Request to Vary from connection to Public Sewers** - Ms. Lambert presented the variance submitted by the owner of the property located at 1354 Woodville Pike, Miami Township. The homeowner requested an extension in the deadline for connecting this property to public sewers.

Mr. Cafera addressed the Board regarding his variance request. He related that he owned two properties, 1350 and 1354 Woodville Pike, and both properties had been ordered to connect to public sewers. Mr. Cafera stated that he was working with a neighbor to get an easement so that he would

be able to run the sewer connections to both properties at the same time. He noted that if the work could be done at one time, by a single contractor, the connections would be much more economical. Mr. Cafera stated a surveyor was working on the easement and he hoped to be able to complete the connections within 6 months but having a 1 year extension would guarantee ample time in the event there were any complications in the easement or connection process. He noted the systems for both properties were working properly and the house at 1354 was vacant and there were no plans for the property to be occupied at any time in the near future.

Following a discussion of the variance request and accompanying documentation, Mr. Crum made a motion to grant a 1 year extension to the sewer connection requirement date of January 2010 for the property located at 1354 Woodville Pike, Miami Township (4-V-10). The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

**Isolation Distance – (1)** Ms. Lambert presented the variance request submitted by the owner of the property located at 5753 Crestview, Miami Township. The owner requested approval to vary from the isolation distance requirement of 10 ft. for the proposed construction of a deck on the property. The proposed deck will be approximately 5 ft. from the existing septic tank.

Following a review of the variance request and accompanying documentation, Dr. Rickabaugh made a motion to approve the isolation distance variance request for the property located at 5753 Crestview, Miami Township (3-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.

**(2)** Ms. Lambert presented the variance request submitted by the owner of the property located at 6808 SR 133, Wayne Township. The owner requested approval to vary from the isolation distance requirement of 10 ft. for the lean-to he had constructed on top of a portion of his sewage disposal system. Ms. Lambert noted the lean-to was discovered during a routine inspection and staff felt this was a situation that could potentially interfere with the operation of the Puraflo/modified mound system.

Mr. Lyttle was present and presented pictures and drawings showing the location of the barn, lean-to, and sewage disposal system located on his property. He noted that the lean-to was built over an 8ft by 9ft section of the end of the modified mound. Mr. Lyttle stated there was 1 clean-out located in the lean-to but it was fully accessible for inspections. He also stated he had set the corner post on a concrete pylon, thus eliminating the need to dig into the system to set the post. Mr. Lyttle related the lean-to was a 2-sided structure used to store miscellaneous items such as a picnic table, etc., and no tractors, vehicles or heavy equipment would be stored in the area. He expressed his willingness to have more inspections than routinely scheduled for the system to be sure there were no problems resulting from the lean-to or its contents.

Ms. Lambert informed the Board that the construction of this type of structure was considered agricultural and did not require a building permit. If a building permit would have been required, the Health District would have been asked to review the proposed construction and the location of the lean-to would have been disapproved due to being on top of the household sewage disposal system.

Following a review of the request and accompanying documentation, Mr. Crum made a motion to approve the isolation distance variance request for the property located at 6805 SR 133, Wayne Township (5-V-10) contingent on the stipulation that if at any time during a Health District inspection it is found that heavy equipment is being stored in the portion of the lean-to located over the septic system, the variance will be immediately revoked. The motion for approval was also contingent on the homeowner's agreement to all terms and conditions stipulated by the Health District. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

**Isolation Distance Request (Tabled at 12/09 and 1/10 Meetings)** – Ms. Lambert presented the variance submitted by the owner of the property located at 1896 Seven Lands Drive, Goshen Township, which was tabled by the Board at the December 2009 and January 2010 meetings. At the December 2009 meeting the Board had recommended that Mr. Smith bring drawings of the proposed sunroom adjustments to the January meeting for their review prior to a final decision being made on the variance request. At the January 2010 meeting Mr. Smith requested an additional extension of one month because he did not have the drawings for the sunroom adjustments completed.

Mr. Smith was present and informed the Board he had contacted the Building Department and had the necessary drawings 90% completed. He requested an additional month in order to complete the drawings for the Building Department and to contact Goshen Township zoning to obtain a zoning permit.

Mr. Crum made a motion to table the variance request for 1896 Seven Lands Drive, Goshen Township, until the March 2010 Board Meeting. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

**New Business:**

**1. Personnel Issues** – Ms. Lambert reported there were no personnel issues to be considered.

**2. Proposed 2011 Annual Budget** - Ms. Lambert presented an overview of the proposed Health District budget for 2011. She related that it was a very conservative budget proposal and was actually less than the 2010 budget. Ms. Lambert noted that due to the continuing state of the economy, she was recommending no increase in the contributions from the Township and Villages. She also noted that she and Julianne Nesbit, Assistant Health Commissioner, would continue to work to access additional grant dollars to supplement the budget and expand existing efforts.

Following a review of the proposal, Dr. Rickabaugh made a motion to approve the Health District's 2011 budget as proposed. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #3)

**3. 2<sup>nd</sup> Reading of Resolution Establishing a Fee for Plumbing Permit Extensions** - Ms. Lambert conducted the 2<sup>nd</sup> 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. Ms. Lambert noted that the proposed

resolution was posted on the Health District's website for public review and comment and individual postcards had been mailed to all plumbing contractors who were registered in 2009.

**4. 2<sup>nd</sup> Reading of Resolution Adding Bond Language to Plumbing Regulation** - Ms. Lambert conducted the 2<sup>nd</sup> reading of the resolution revising Regulation 420-01 to clarify registration and bonding requirements of persons engaged in the plumbing business. She noted that the proposed resolution was posted on the Health District's website for public review and comment.

**5. Approval to Sign NACCHO/Medical Reserve Corp Agreement** - Ms. Lambert related that as approved by the Board at the August 2009 meeting, an application had been submitted to the National Association of County and City Health Officials (NACCHO) for funds to support efforts with the Medical Reserve Corps. She noted that notice had been received stating the Health District would be awarded funds and requested the Board's approval to sign the agreement.

Mr. Crum made a motion to grant the Health Commissioner approval to sign the agreement with NACCHO in order to receive funds which will be used to support Medical Reserve Corps efforts. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #4)

**6. Proposed Changes to Public Health Nuisance Regulation Adding Solid Waste Language** – Ms. Lambert stated that in order to better address illegal dumping/solid waste issues in the future, staff proposed adding language to the current Public Health Nuisance Regulations which would make issues clearer and easier to enforce.

Robert Wildey, Director of Water & Waste, stated there are currently no state regulations for recycling of construction & demolition debris. He noted the proposed language would require more accountability for persons engaged in the business of recycling construction & demolition debris.

Following a discussion of the proposed language, Mr. Cadwallader suggested the revision include a requirement that trucks be weighed on a certified scale to monitor the amount of construction & demolition debris entering and leaving a recycling site.

There were no additional comments on the proposed language. Ms. Lambert stated that a resolution adding the proposed solid waste language to the Public Health Nuisance Regulations would be prepared and presented to the Board of their consideration at the March meeting.

**7. Proposed Vehicle Purchase** – Ms. Lambert noted the Health District had not purchased any new vehicles since 2006. She related that of the 26 vehicles in the current fleet, 10 are 10 years old or older and it has become increasingly difficult to keep the aging fleet running at an affordable cost. Ms. Lambert presented a proposal from the state's bid list for a full-size two wheel drive GMC Sierra 1500. A tow package would be added to the truck providing another vehicle capable of towing the POD trailers. Ms. Lambert noted that only full-size trucks were available on the state's bid list and Charlie Benjamin had checked with local dealers and was told they could not compete with the bid list prices.

Following a discussion of the proposal, Mr. Crum suggested that if it wasn't absolutely necessary to add a full size truck to the fleet, staff could check with local dealers on the prices of smaller trucks which would provide better gas mileage.

Ms. Lambert will ask Mr. Benjamin to check with local dealers on the prices and availability of suitable smaller sized trucks and will bring the information back to the Board at the March meeting.

**8. 1<sup>st</sup> Reading of Resolution to Adopt a Food Service Level I Training Fee** – Ms. Lambert informed the Board that effective March 1, 2010, ODH will require certain food facilities to have a minimal number of staff receive Level 1 food safety training. The Health District staff would like to develop and keep this training at the local level and is therefore recommending a fee of \$25 per individual be established to cover the anticipated cost of the training. Ms. Lambert stated the proposed fee would be reevaluated in 1 year to be sure the cost of providing the training was being covered.

Ms. Lambert held the 1<sup>st</sup> reading of the proposed resolution establishing a fee of \$25 pursuant to Ohio Revised Codes Section 3709.09 and 3709.21 for the provision of Level 1 Food Safety training also referred to as Person-In-Charge Food Safety Training. The proposed resolution will be posted on the Health District's website for public comment.

**9. Professional Services Agreement for Septic Rehab Program** – Ms. Lambert requested the Board approve signing the Professional Services Agreement in the amount of \$5,000 for the 2010 Septic Rehab Program. She noted that although the Health District will receive only \$5,000 of the \$10,000 to \$12,000 it typically costs to run the program, she felt it is a very worthy investment of local dollars. The Health District will receive \$150,000 in funds in 2010 to assist selected homeowners in the repair or replacement of their malfunctioning household sewage disposal system or in the connection to available public sewers.

Dr. Rickabaugh made a motion to approve the signing of the Professional Services Agreement between the Board of County Commissioners and the Health District for administrative services relating to the Septic Rehab Program. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #5)

**10. 2010 County Health Ranking Report** – Ms. Lambert informed the Board that the University of Wisconsin would be releasing a report funded by the Robert Wood Johnson Foundation which will rank every county in every state based on a set of established health indicators. She noted the report was expected to be released to the public around February 17, 2010. Ms. Lambert indicated she expected Clermont County to fall somewhere in the middle of the rankings for Ohio and she hoped to be able use the information to move the county toward healthier choices and behaviors. A copy of the report will be included in March's Board Report.

**11. Air Quality Enforcement Report** – Ms. Lambert presented the Air Quality Enforcement Report provided annually by Hamilton County Environmental Services. The summary report summarizes air quality complaints and enforcement actions that occurred in Clermont County during the past year. The Board reviewed the summary report.

**12. Agreement for H1N1 Evaluation Project** – Ms. Lambert informed the Board the Health District would be participating in a state-wide evaluation of the public health response in conjunction with the Association of Ohio Health Commissioners. She noted that ODH was apparently not planning on looking at the state-wide response to H1N1 and she felt it was important to have information on what things were done right and what things were done wrong. Ms. Lambert stated that data from 54 participating Ohio health jurisdictions would be compiled to create an overview of the State's response in order for everyone to be better prepared if a similar event occurred in the future. She noted that time was of the essence and she had therefore signed and returned the agreement. The \$5,000 to participate in the project was being covered by H1N1 funds.

It was the consensus of the Board to approve the Health Commissioner entering into the agreement to participate in the H1N1 Evaluation Project.

**13. Resolution to Transfer Balance of Health Benefits Fund to General Fund** – Ms. Lambert related that since the Health District is now a part of the county's benefit group, the Health Benefits Special Fund, which provided for the temporary holding of the employee portion of the benefits payment, is no longer needed. She noted that since the 1<sup>st</sup> month's payment had been advanced from the general fund when the special fund had been created, the resolution would transfer the balance back to the general fund and close out the special fund.

Mr. Cadwallader made a motion to approve Resolution 1-10 authorizing the transfer of the unexpended balance in Health Benefits Special Fund #799 in the amount of \$35,389.75 to the Environmental Fund #708 and acknowledging that all obligations incurred on behalf of the fund have been paid and further more terminating any activity associated with the fund. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #6)

**14. Annual Survey of Solid & Infectious Waste Program** – Ms. Lambert presented the annual survey of the Solid & Infectious Waste Program for the Board's review. She noted there were no findings on the survey and Eric Ratcliff, Sanitarian in the Water & Waste Division, does an excellent job with the program.

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

Mr. Cadwallader made a motion to approve the minutes of the January 13, 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 Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #7)

**Additional Appropriation/Amended Certificate in IAP Fund** – Ms. Lambert related that a purchase order in the amount of \$216.49 had not been reentered into Period 13 by the Auditor's

Office as had been requested and, therefore, an amended certificate and additional appropriation was required to move the money into the 2010 grant period.

Dr. Rickabaugh made a motion to approve the Amended Certificate/Additional Appropriation in the IAP fund in the amount of \$216.49. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #8)

## **OLD BUSINESS**

**1. Reverse Public Health Nuisance Action** - Ms. Lambert informed the Board that due to a data entry error the property at 1974 Cedarville Road had inadvertently been declared a public health nuisance at the January meeting. She requested the Board formally rescind the declaration and noted that the error had been corrected in the database.

Mr. Crum made a motion to rescind the action taken at the January 2010 Board of Health Meeting declaring 1974 Cedarville Road a Public Health Nuisance. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

**2. Public Health Nuisances/Code Violations** – Ms. Lambert presented the addresses of 8 properties to be considered as public health nuisances/code violations.

Following a review of the files, Dr. Rickabaugh 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 Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #9)

**2. Update on H1N1 Activities** – Ms. Lambert informed the Board that events associated with H1N1 were very quiet. A banner and yard signs are being displayed to remind people of the availability of free vaccine but activity has been extremely slow. She noted there were no outside clinics scheduled and the Nursing Division was handling all requests for vaccine by in-house appointments. Ms. Lambert stated due to the weather the "hot wash" for the H1N1 partners scheduled for February 10<sup>th</sup> was rescheduled and will be held on March 10<sup>th</sup>.

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

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

1. Callahan - 6897 Goshen Road, Goshen Township (31-V-03)
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 homeowners who were not in attendance will be contacted regarding the non-renewal of their blackwater holding tank variance.

**Other Information** – Ms. Lambert stated the District Advisory Council meeting will be held on March 18<sup>th</sup> 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 she would be out of the office the week of February 22<sup>nd</sup>.

Mr. Cadwallader asked about the proper disposal methods for medications. Ms. Lambert stated that medication could be emptied into cat litter, new or used, and disposed of in the trash. Mr. Crum noted that another method would be to empty the medication in used motor oil which would be burned in an oil burning heater. Ms. Lambert noted the expired H1N1 vaccine would be disposed of by the Health District in its routine infectious waste disposal.

**ADJOURNMENT**

Mr. Cadwallader made a motion to adjourn the meeting at 8:27 p.m. The motion was seconded by Mr. Crum. The vote was all aye, motion carried.

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JAMES HANSBAUER, PRESIDENT

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ANDREW CRUM, V-PRESIDENT

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DR. WILLIAM MILLER

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LARRY CADWALLADER

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DR. JANET RICKABAUGH

Respectfully Submitted

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