

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

The monthly meeting of the Clermont County Board of Health was held on April 14, 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, present
 Dr. Janet Rickabaugh, present Andrew Crum, present
 Larry Cadwallader, present

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

Reorganization of Board – Mr. Hansbauer relinquished the Chair to Ms. Lambert. Ms. Lambert asked for nominations for the position of President of the Board of Health. Mr. Crum made a motion to nominate James Hansbauer to the position of President of the Board of Health. The motion was seconded by Dr. Rickabaugh. Dr. Miller made a motion to close the nominations. The vote on the motion was all aye. Mr. Hansbauer was elected to the position of President of the Board of Health.

Ms. Lambert returned the Chair to Mr. Hansbauer. Mr. Hansbauer asked for nominations for the position of Vice President of the Board of Health. Dr. Rickabaugh made a motion to nominate Andrew Crum to the position of Vice-President of the Board of Health. The motion was seconded by Mr. Cadwallader. Dr. Rickabaugh made a motion to close the nominations. The vote on the motion was all aye. Mr. Crum was elected to the position of Vice-President of the Board of Health.

Request to Continue Use of Failing System for Approximately 6 Months - Ms. Lambert presented the variance submitted for the property located at 5268 Benton Road, Stonelick Township. 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.

The Board questioned the impact of the laundry discharge on neighboring property. Mr. Paul stated the existing residence was in the center of an 86 acre parcel. He related there were only two people living in the home and only 3 to 4 loads of laundry were done each week.

Following a discussion of the request, Dr. Miller made a motion to table the variance until the May Board of Health meeting at which time Mr. Paul would be asked to provide information documenting the progress of the building plans and household sewage treatment system application for his new residence. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

Isolation Distance Variance Request - Ms. Lambert presented the variance request submitted by the owner of the property located at 5769 Hutchinson Road, Stonelick Township. The owner requested approval to vary from the isolation distance requirement of 10 ft. for the proposed installation of a swimming pool on the property. The proposed deck for the pool will be approximately 5 ft. from the existing sand filter system.

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 5769 Hutchinson Road, Stonelick Township (11-V-10), contingent on the homeowner's agreement to all terms and conditions stipulated by the Health District. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

Board of Health Appeal to Overturn Staff Order to Replace Illegal System - Ms. Lambert informed the Board that the owner of the property located at 2536 Jett Hill, Monroe Township, was appealing the Health District's orders to replace an illegally installed leach line system with a system that is appropriately designed, permitted and installed according to existing regulations. She related that during a routine inspection in January, 2009, a laundry discharge was identified and the homeowner was ordered to redirect the laundry back into the household sewage treatment system. The homeowner obtained a plumbing permit for the laundry tie-in and the work was inspected and approved in February, 2009. In September of 2009 the Health District received a complaint that the owner was installing an illegal sewage system. Staff investigated and found that the owner was not only installing leach lines in soil that was not acceptable, the work was being done without a permit by a contractor who was not bonded or registered to do septic work in Clermont County. At that time the homeowner was directed to submit an application for a remediation which he did. The staff developed a plan for the remediation but no further action was taken by the homeowner on the remediation. The homeowner had indicated to Robert Wildey, Director Water and Waste, that he had connected to and was using the illegal system and wished to continue to do so.

The homeowner, Don Zurek, was present and addressed the Board. Mr. Zurek questioned the issue of soil type for leach line installations and contended the leach lines that were installed were working fine. He stated that a contractor was doing work on a water line and he had asked the contractor to dig the leach lines.

Robert Wildey reported he had visited the site earlier in day and found that although there was no water on the ground over the illegal leach lines, in spite of the dry weather, the soil was soft and spongy which is an indication that the system is struggling. He noted this is a problem that is typically seen when leach lines are installed in soil that is not acceptable or installed incorrectly. Mr. Wildey presented pictures he had taken at the property on his visit earlier in the day.

Following a discussion of the appeal request and review of accompanying documentation, Dr. Miller made a motion to deny the appeal made by Don Zurek for the property located at 2536 Jett Hill, Monroe Township. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried.

Mr. Zurek asked if he could be given a year to replace the system. The Board informed him the system he installed and is using is an illegal system and he must take steps to remedy the situation immediately.

Ms. Lambert reiterated to Mr. Zurek that the Health District staff was very willing to guide him through the procedures for replacing the illegal system with a system that is appropriate for his property.

Mr. Zurek thanked the Board for their time in considering his appeal.

New Business:

1. Personnel Issues –

a) Ms. Lambert presented the renewal professional services contract for Charles Roberts, Spanish interpreter. She noted the Nursing staff does not use Mr. Robert's services on a frequent basis but it is extremely helpful to have someone under contract when needed. Ms. Lambert stated there was no change in the amount of compensation in the renewal contract.

Mr. Crum made a motion to approve the renewal professional services contact with Charles Roberts, Spanish interpreter. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #3)

b) Ms. Lambert presented a proposed revision to Chapter 8, Section D of the Health District's Personnel Policy. She noted that during the past winter there had been some confusion on the Health District's weather related office closing policy. The proposed revision will clarify these procedures for the staff.

Mr. Crum made a motion to approve the proposed revision of Chapter 8, Section D of the Health District's Personnel Policy. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. (Attachment #4)

c) Ms. Lambert noted that Joy Kohlem had submitted notice of her retirement and requested the Board approve approximately \$250 to cover the cost of reception expenses and a retirement gift. She related that a tentative date for the reception was in the afternoon of May 26th.

Dr. Miller made a motion to approve the expenses as presented for a retirement reception for Joy Kohlem. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment#5)

d) Ms. Lambert noted that as a result of Ms. Kohlem's retirement she planned an internal promotion and had advertised the opening to the staff. She related that 4 staff had applied and she had conducted interviews.

It was the consensus of the Board to delay discussion of this issue until later in the meeting.

2. Resolution for 2011 CDBG Application – Ms. Lambert reported that due to the timeline involved, an application for \$150,000 in Community Development Block Grant funds had been submitted with the formal Board of Health resolution to follow.

Dr. Rickabaugh made a motion to adopt Resolution 6-10 authorizing submittal of an application for Community Development Block Grant funds to the Board of Clermont County Commissioners. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #6)

Ms. Lambert noted that the 2010 Septic Rehab Committee had met earlier in the afternoon and at their suggestion she was reworking the applicant rankings. She stated there were sufficient funds to complete 12 system repairs or replacements and 1 additional system was being donated by an installer.

3. 3rd Reading of Resolution to Adopt a Food Service Level I Training Fee – Ms. Lambert conducted the 3rd and final 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 and no comments had been received.

4. Adoption of Resolution Establishing a Food Service Level I Training Fee – Mr. Cadwallader made a motion to adopt Resolution 7-10 establishing a fee pursuant to Ohio Revised Code Section 3709.09 and 3709.21 for the provision of Level I Food Safety Training also referred to as Person-In-Charge Food Safety Training. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #7)

5. Renewal of TB Agreement with Hamilton County - Ms. Lambert presented the renewal agreement with Hamilton County for TB consultant services, noting there was no change in the rate of compensation. She related that the Health District nurses were very pleased with the TB services provided by Hamilton County during the past year. Ms. Lambert requested the Board grant her approval to sign the renewal agreement contingent on approval by the Prosecutor's office.

Dr. Miller made a motion to grant approval for the Health Commissioner to sign the renewal agreement with Hamilton County for TB services, contingent on approval by the Prosecutor's Office. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #8)

6. Purchase of Copier for WIC – Ms. Lambert requested the Board approve the purchase of a copier for the WIC office, pending approval from the State. She noted the copier they were currently using was purchased many years ago for general nursing use. Ms. Lambert stated the purchase would be entirely funded by WIC funds.

Dr. Rickabaugh made a motion to approve the purchase of a copier for WIC pending approval from the state WIC program. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

7. ODH Specialty Clinic Contract – Ms. Lambert presented the renewal Specialty Clinic contract which covers the vision and hearing clinics.

Dr. Rickabaugh made a motion to approve the renewal Ohio Department of Health Specialty Clinic contract. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #9)

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

Mr. Cadwallader made a motion to approve the minutes of the March 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. She noted the look of the report was different due to the report being generated from MUNIS, the County’s new accounting system. 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 #10)

OLD BUSINESS

1. Public Health Nuisances/Code Violations – Ms. Lambert presented the addresses of 14 properties to be considered as public health nuisances/code violations.

Following a review of the files, Dr. Miller made a motion to declare the properties listed on Attachment #11 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. Crum. The vote was all aye, motion carried. (Attachment #11)

Blackwater Holding Tank Request & Extensions - (#’s 1, 2, 3, 4, 5 & 6) - Ms. Lambert noted that paperwork for all homeowners 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 through #6.

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)
6. Payne – 655 Goshen Road, Goshen Township – 6-V-10)

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 their variance renewal.

Other Information – Ms. Lambert informed the Board that Dr. Jackson, Director of ODH, had visited the office on March 26th. She noted he was very interested in the Health District’s programs.

Ms. Lambert displayed a copy of the WHACK the FLU thank-you that had been published in the Clermont Sun. She noted the publication was a way to thank everyone who had assisted with the H1H1 response activities.

Ms. Lambert related that she had attended a Board of County Commissioner’s session and on behalf of the Health District had accepted a proclamation of “National County Government Month” promoting “healthy

counties” and stating Clermont County is dedicated to meeting the needs of all citizens and working toward providing healthy communities in which every member of the community can thrive.

Personnel Issues – At 8:12 p.m. Mr. Crum made a motion to go into Executive Session to discuss the personnel considerations of the Fiscal Officer Position. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

At 8:28 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 promote Donna Hart to the position of Fiscal Officer with the appropriate salary adjustment, effective June 1, 2010. The motion was seconded by Dr. Rickabaugh. The vote was all aye, motion carried. (Attachment #12)

Mr. Crum made a motion to approve the change of status to full-time for Karen Dunn. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. The change will become effective April 19, 2010.

ADJOURNMENT

Dr. Miller made a motion to adjourn the meeting at 8:32 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
