

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

The monthly meeting of the Clermont County Board of Health was held on August 12, 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, absent	Andrew Crum, present
	Larry Cadwallader, present	

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

**Isolation Distance** – Ms. Lambert presented the variance request submitted by the owner of the property located at 1840 Clough Pike. The owner was installing a pool which was located closer to the existing sand filter system than the required 10 ft. isolation distance. Ms. Lambert stated that although the installer had rearranged the concrete pool deck and stairs leading to the pool in order to maximize the distance, the edge of the concrete will only be 6 ft. from the sand filter.

Following a review of the request and accompanying documentation, Dr. Miller made a motion to approve the isolation distance variance for the pool installation on the property located at 1840 Clough Pike, Batavia Township (11-V-09). The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried.

**Two Structures on One System** – Ms. Lambert presented the variance request submitted by the owner of the property located at 4629 Stanton Hall. The owner was planning to build a detached garage and requested approval to connect the plumbing in the garage to the existing household sewage disposal system. Ms. Lambert noted that the bathroom plumbing would only be roughed-in at the present time and would be completed at a later date.

Following a discussion of the variance request and accompanying documentation, Mr. Crum made a motion to approve the variance to allow two structures to be connected to one household sewage disposal system contingent on the upper story area of the garage with the full bath not be used as a rental unit. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

**High Weeds Abatement** - Ms. Lambert stated the owner of the property with a valid high weeds complaint who had not abated the nuisance by the specified date was sent a notice to appear before the Board at tonight's meeting. It was noted that the owner of the property located at 4314 North Ellis Road, Williamsburg Township, was not in attendance. She requested the Board grant approval to have the high weeds nuisance abated by the Engineer's Office.

Following a review of the file, Mr. Crum made a motion to order the high weeds nuisance abated on the property located at 4314 North Ellis Road, Williamsburg Township. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

**New Business:**

**1. Personnel Issues – a) Medical Director’s Contract -** Ms. Lambert presented the 1 year renewal contract for Dr. Kaya, Medical Director. She informed the Board that Dr. Kaya had submitted a request that due to the current financial downturn affecting all public agencies, his salary be continued at the current level for the next year.

Dr. Miller made a motion to approve the contract renewal for Dr. James Kaya, Medical Director, with no adjustment in compensation. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #3)

**2. Proposed Adjustments for Environmental Health Fees –** Ms. Lambert reviewed the proposed adjustments for fees in the Environmental Health programs. She related that in programs where the cost methodologies indicated a need to reduce fees those adjustments were made and in the remaining programs she attempted to be fair to the operators and keep the fees the same or make as few increases as possible.

The Board reviewed and accepted the proposed fee adjustments. Ms. Lambert noted that postcards will be sent to operators informing them of the proposed fees.

**3. 1<sup>st</sup> Reading of Resolution Establishing Revised License Fees For Risk Levels III and IV Food Service Operations and Retail Food Establishments, Mobile Food Operations and Vending Machine Locations –** Ms. Lambert conducted the 1<sup>st</sup> reading of the resolution establishing revised license fees for risk levels III and IV food service operations and retail food establishments, mobile food operations and vending machine operations.

**4. 1<sup>st</sup> Reading of Resolution Establishing Revised Fees for Food Service Operation and Retail Food Establishment Plan Reviews –** Ms. Lambert conducted the 1<sup>st</sup> reading of the resolution establishing revised fees for food service operation and retail food establishment plan reviews.

**5. 1<sup>st</sup> Reading of Resolution Revising Fees for Manufactured Home Park Licenses –** Ms. Lambert conducted the 1<sup>st</sup> reading of the resolution revising fees for manufactured home park licenses.

**6. 1<sup>st</sup> Reading of Resolution Establishing Revised License Fees for Recreational Vehicle Parks, Recreation Camps, Combined Park Camps and Temporary Tattoo and Body Piercing Operations** Ms. Lambert conducted the 1<sup>st</sup> reading of the resolution establishing revised license fees for recreational vehicle parks, recreation camps, combined park camps and temporary tattoo and body piercing operations.

**7. Collection Agreement with Sheriff’s Office –** Ms. Lambert presented the agreement renewal with the Sheriff’s Office for the delivery of tax lien notices that were not deliverable through the regular mail.

Mr. Cadwallader made a motion to approve renewal of the Collection Agreement with the Sheriff’s Office for the period of 9/12/2009 through 9/11/2010. The motion was seconded by Dr. Miller. The vote was all aye, motion carried. (Attachment #4)

**8. MRDD Newborn Home Visit Agreement** – Ms. Lambert informed the Board that due to the massive outcry across the state and the support of the Governor, the Help Me Grow program survived the budget process. She noted that although the newborn home visit component was eliminated, the Health District's partners in Clermont County felt the service was valuable enough to support it at a minimal level. The Clermont County Board of Mental Retardation and Developmental Disabilities (CCBMRDD) has offered a contract in the amount of \$10,000 to support newborn home visits by Health District nurses during the upcoming year. The amount would allow for approximately 8 home visits per month and would be targeted to high risk newborns.

Mr. Crum made a motion to grant approval for the Health Commissioner to enter into the contract with CCBMRDD in the amount of \$10,000 to fund newborn home visits by Health District nurses during the upcoming year. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.  
(Attachment #5)

**9. Cities Readiness Initiative Agreement** – Ms. Lambert reported the Health District had received funding to support emergency planning activities through the Cities Readiness Initiative (CRI) for the past several years. In the past this has been subcontracted with Hamilton County Public Health. This year the primary award will go to the City of Cincinnati and the Health District will subcontract with them for the CRI funding. She related that the State has been slow to release the Notice of Awards and in order to expedite the receipt of any pending funding, she requested approval to sign the CRI agreement with the City of Cincinnati when it is received.

Mr. Cadwallader made a motion to grant approval for the Health Commissioner to sign the Cities Readiness Initiative Agreement with the City of Cincinnati when it is received. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #6)

**10. Medical Reserve Corp Capacity Building Grant** – Ms. Lambert stated the Health District has an opportunity to apply for a \$5,000 grant from the National Association of City and County Health Officials to support efforts in developing the Medical Reserve Corp. She requested the Board's approval to submit an application for the funding noting the money would be used to support recruitment and training.

Mr. Crum made a motion to approve the Health District submitting a grant application to the National Association of City and County Health Officials for funds to be used to support the Medical Reserve Corp. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

**11. BSA Skip Program aka AO&M** – Ms. Lambert related the staff had agreed on an official name for the Skip Program which is an indicator of the operator's ability to manage their onsite system – Adequate Operation & Maintenance or AO&M. She stated she had looked into the Board's areas of concern identified at the July meeting. Ms. Lambert related she had determined there was no way to identify rental property and eliminate it from the program. The issue of identifying and eliminating a new owner from the program could be accomplished but it will require that a staff member look at a list of properties that are designated AO&M and review whether ownership has changed since the last inspection. She noted this would be labor intensive and would not be foolproof but it could be done.

The issue of establishing a fee for homeowners who fall off the AO&M designation during a “skip period” had been investigated but would be very difficult to enforce since there is currently no charge if a complaint is received on a system that is found to be failing between inspections. She noted that it was the intent to make the program a positive thing and to encourage homeowners to take care of their systems.

The Board discussed the possibility of charging reinspection fees on valid nuisance complaints received on properties in the AO&M program. Ms. Lambert related that the Health District does not currently charge reinspection fees on nuisance complaints. She noted the nuisance complaint program is an activity covered by money received from townships and villages. Ms. Lambert stated she would investigate the feasibility of a program change that would immediately transfer an AO&M property back into the regular BSA program and charge a regular inspection fee if a valid nuisance is found during the time frame the property was being skipped. Ms. Lambert noted the wording on the proposed resolution adopting the AO&M program would need to be revised if this action was added and the revised program and resolution would be brought back for the Board’s consideration at the September meeting. She stated that if all issues are resolved and the AO&M program is approved, an announcement of the program would be included in the December issue of the Septic Gazette.

**12. 1<sup>st</sup> Reading of Resolution Revising Regulation 415** – Due to revisions involving the proposed AO&M Program, the reading was not held.

**13. Approval to Enter Into Agreements for Contract Nurses** - Ms. Lambert informed the Board that the Health District’s initial H1N1 efforts will be largely targeted to youth. The staff is putting together a plan to hold H1N1 immunization clinics in the schools and to do the clinics in a “blitz” by hitting 3 or 4 schools a day. Ms. Lambert stated she felt the schools would be very cooperative in planning the clinics, obtaining consent letters, etc. She noted there are approximately 37,000 school students in Clermont County and it would be impossible for the Health District staff nurses to do this without assistance. Ms. Lambert stated she was exploring the possibility of contracting with nurses to work with Health District nurses as independent contractors to assist in conducting these clinics. CDC is providing funds that must be used to address H1N1 efforts and these funds would cover the contract work. She related that everything is happening very quickly and requested the Board’s approval to proceed with the agreements for contract nurses if approved by the Prosecutor’s Office and if the agreements are needed prior to the September Board meeting.

Mr. Cadwallader made a motion to grant approval for the Health Commissioner to enter into agreements with contract nurses to assist with H1N1 immunization clinics. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

**14. Resolution for Revised Vital Statistics Fees** - Ms. Lambert presented the resolution clarifying and revising the fees for certified birth and death records. She related the Health District received notice that the State will increase its portion of the fee by \$5.00, effective October 16, 2009. Ms. Lambert noted the Health District is not changing its portion of the fee but the new total for certified copies of birth and death records will increase from the current \$18.00 to \$23.00 in order to cover the State’s revision.

Dr. Miller made a motion to waive the 3 readings and to adopt Resolution 9-09 establishing revised vital statistics fees for birth and death certificates pursuant to Ohio Revised Code Sections 3709.09 and 3709.21. The motion was seconded by Mr. Crum. The vote was all aye, motion carried. (Attachment #7)

### **Approval of Minutes**

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

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

**Blackwater Holding Tank Request & Extensions - (#1, #2 & #3)** - Ms. Lambert noted that paperwork for homeowners #1, #2 & #3 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. 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 Dr. Miller. The vote was all aye, motion carried. The homeowners will receive a letter indicating the terms and conditions of their variance renewal.

**Payment of Bills** – Ms. Lambert presented the Health District's bills for the Board's 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 #8)

### **OLD BUSINESS**

**1. Public Health Nuisances/Code Violations-** Ms. Lambert presented the addresses of 12 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 #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. Sewer Connection Notices -** Ms. Lambert presented the addresses of 14 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 #10 receives orders to connect to public sewer within the time frames given. The motion was seconded by Mr. Cadwallader. The vote was all aye, motion carried. (Attachment #10)

**3. Update on Health District's H1N1 Swine Flu and Seasonal Flu Activities** - Ms. Lambert informed the Board that a drive-thru seasonal flu clinic was scheduled for September 19<sup>th</sup> at the Clermont County fairgrounds. She noted the clinic will be geared to adults and clients will remain in their vehicles to receive their flu shots. If children are brought to the drive-thru clinic, parents will be asked to go to a special location where they can get their children out of the car to receive the flu shot. Ms. Lambert stated the Fair Board had been very cooperative in working with the staff to set up the clinic area.

**4. Update on Request to Join County's Health Benefits Group** – Ms. Lambert reported she had not received formal approval for the Health District to join the County's benefits group but the Health District had been asked to attend a meeting of the County's Healthcare Advisory Team on Thursday, August 13<sup>th</sup>. She stated she hoped to have an approval in writing in the very near future.

**5. Update on ARRA Program (ODH HSTS Repair Program)** – Ms. Lambert reported the restrictions and the extremely short time frame for completing the work would make it very difficult to take advantage of the ARRA Program funds. The agreement which the Board of County Commissioners is required to sign has been received and is being reviewed by the Prosecutor's office. She reported the Health District received 33 responses from residents who were interested in participating in the program which requires qualifying homeowners to provide 25% of the cost of the septic system repair or replacement. Ms. Lambert related that a meeting had been held prior to the Board Meeting providing interested homeowners with information from the United States Department of Agriculture, Rural Development Program, on low-interest loans which could be used to pay the 25% match. A USDA representative conducted the meeting and provided applications and information on the loan program. Ms. Lambert reported that given the restrictions and the timeline it may not be possible to use the ARRA funds but the Health District is doing everything possible to take advantage of this money for Clermont County residents.

**6. Update on Workplace Smoking Changes** – Ms. Lambert reported the last 2 local workplace smoking administrative reviews will be held on September 30, 2009. The Ohio Department of Health is taking over the administrative hearings which will be held at a central location in each region. The Health District will only need to send the investigating sanitarian to the central location to testify. She noted that eliminating the administrative reviews at the local level will be a big savings for the Health District.

**7. Update on Jarod's Law** – Ms. Lambert informed the Board that one of the actions taken by the legislature in the budget bill was the reversal of Jarod's law. This was the law revising the school inspection program. The reversal takes the language of the inspection program back to how it existed prior to Jarod's law. She noted that Rob Perry, Director of Environmental Health, was working on modifications to the school inspection program to make it a more "common sense" program.

**8. Mature Services Employee – Pauline Maness** – Ms. Lambert reported that Pauline Maness was working with the Nursing Division performing various clerical duties. She noted Ms. Maness was working 20 hours per week and was compensated entirely by Mature Services.

**Personnel Issues – Executive Session** – At 8:30 p.m., Mr. Crum made a motion to go into Executive Session to discuss personnel issues. The motion was seconded by Dr. Miller. The vote was all aye, motion carried.

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

There was no further discussion in Regular Session regarding the personnel issues discussed in Executive Session.

**Other Information:** Ms. Lambert informed the Board the Health District was dealing with an issue at the Monroe Township Fire House located on Laurel Lindale. She stated staff were doing everything they could to assist the township but they were being treated the same as any resident in the county with a sewage issue.

Ms. Lambert informed the Board she would be on vacation from August 13<sup>th</sup> through August 21<sup>st</sup>.

**ADJOURNMENT**

Dr. Miller made a motion to adjourn the meeting at 8:55 p.m. The motion was seconded by Mr. Cadwallader. 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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