



Clermont County Public Health

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Clermont County General Health District Board of Health Meeting

The Clermont County Board of Health held its monthly meeting on October 9, 2019. Janet Rickabaugh, President, called the meeting to order at 6:30 PM. Dr. Rickabaugh led the Board members and guests in the Pledge of Allegiance.

Roll Call: Dr. Janet Rickabaugh, present Dr. Joseph Khan, present
Andrew Crum, absent Dennis Brown, present
Eric Heiser, present

Others present included Julianne Nesbit, Health Commissioner; Tim Kelly, Assistant Health Commissioner; Jackie Lindner, Director of Nursing; Maalinii Vijayan, Director of Environmental Health; Kevin Jester, Director of Plumbing; Robert Wildey, Director of Water and Waste; Dr. James Kaya, Medical Director; Trina Stapleton, Fiscal Officer; Bethany Bertsch, Administrative Assistant and others as listed on Attachment #1.

VARIANCES:

Keep a Well for Agricultural Use- 1575 Apgar Rd., Miami Township (43-V-19)- Ms. Nesbit stated Ronald and Kathleen Romano requested a variance to keep a well for agricultural use at 1575 Apgar Rd., Miami Township (43-V-19). Staff recommended approval.

Mr. Heiser asked if there was a home located on the property. Mr. Romano stated he had a home built on the property but the well would not be used as a water supply to the home.

Mr. Brown made a motion to approve the variance request to keep a well for agricultural use at 1575 Apgar Rd., Miami Township (43-V-19). Mr. Heiser seconded the motion. Dr. Rickabaugh, aye; Mr. Heiser, aye; Dr. Khan, absent; Mr. Brown, aye; motion carried. (Attachment #2)

Connect a Room Addition to an Existing HSTS- 2360 Woodville Pike, Goshen Township (42-V-19)- Ms. Nesbit stated Robert and Katie Geers requested a variance to connect the addition of a bedroom and bathroom to the existing leach bed system at 2360 Woodville Pike, Goshen Township (42-V-19). Ms. Nesbit explained the leach bed system had minor issues once in the past but recently no issues with the system had been reported and no additional occupants were reported. Staff recommended approval.

Mr. Heiser made a motion to approve the variance to connect the addition of a bedroom and bathroom to the existing leach bed system at 2360 Woodville Pike, Goshen Township (42-V-19). Dr. Khan seconded the motion. The vote was all ayes; motion carried. (Attachment #3)

Connect a Room Addition to an Existing HSTS- 3476 Hoover Rd., Tate Township (46-V-19)- Ms. Nesbit stated Nicholas and Katie Eltzroth requested a variance to convert a living room to a bedroom and bathroom on the existing Wisconsin mound system at 3476 Hoover Rd., Tate Township (46-V-19). Staff recommended approval.

Dr. Khan made a motion to approve the variance to convert a living room to a bedroom and bathroom on the existing Wisconsin mound system at 3476 Hoover Rd., Tate Township (46-V-19). Mr. Brown seconded the motion. The vote was all ayes; motion carried. (Attachment #4)

Connect a New Home to an Existing HSTS- 2680 State Route 232, Tate Township (45-V-19)- Ms. Nesbit stated Kevin and Nichole Centers requested a variance to connect a new three bedroom modular home to the existing leach line system of a previous three bedroom home at 2680 State Route 232, Tate Township (45-V-19). Staff recommended approval.

Mr. Brown made a motion to approve the variance to connect a new three bedroom modular home to the existing leach line system at 2680 State Route 232, Tate Township (45-V-19). Mr. Heiser seconded the motion. The vote was all ayes; motion carried. (Attachment #5)

Temporary Conditional Occupancy of a Building using a Portable Restroom Trailer(s)- 2977 State Route 132, Ohio Township (44-V-19)- Ms. Nesbit stated Dollar General and Cross Development previously submitted an application for the installation of a mound system that was approved for the new construction of the building. She explained an unapproved and unpermitted system was installed and during the installation the replacement area that could have been used to install an approved system was compromised beyond use. Ms. Nesbit reported a permanent black water holding tank was requested from the Ohio Environmental Protection Agency (EPA) by Cross Development and was awaiting approval. She stated the permanent tank was the only solution available but approval from Ohio EPA could take time. Ms. Nesbit stated Mr. Wildey was on location prior to the Board meeting and confirmed Cross Development had met requests made by Clermont County Public Health (CCPH). She explained an action plan was requested by CCPH and had been completed by Cross Development and Dollar General. Ms. Nesbit explained Cross Development requested a temporary conditional occupancy of the building using a portable restroom trailer with the following contingencies: permanent tanks may be installed upon approval from Ohio EPA but no later than January 8, 2020; if the portable restroom potable water was being hauled in, proof of potable water transported by a registered water hauler and amount of water being filled must be submitted along with records kept on site for inspectors to review; if connecting to the building's water supply for the portable restroom a food grade hose must be used and a proper backflow prevention device must be installed; the black water holding tank of the portable restrooms must be pumped at a frequency to avoid overflow of sewage and pump tickets must be submitted to CCPH when the tank is pumped and at a minimum monthly prior to Board meetings, also records of pump tickets must be kept onsite for inspectors to review; the restrooms must be regularly stocked, cleaned, and maintained in a clean and sanitary manner and if accidents occurred it must be reported immediately and further actions must be taken in a timely manner; prior to opening, pre-licensing inspections must be scheduled with all CCPH Divisions involved; any problems that occur during this temporary conditional occupancy period would result in action up to and including suspension or revocation of the occupancy permit and the retail food establishment license at 2977 State Route 132, Ohio Township (44-V-19). Staff recommended approval.

Mr. Brown asked if the tank being approved by the Ohio EPA was a permanent black water holding tank and if it would be inspected regularly. Ms. Nesbit confirmed the tank was a permanent black water holding tank and it would be inspected on a regular inspection schedule.

Mr. Heiser asked if an adjacent property could be utilized for an approved septic system to avoid the use of a permanent black water holding tank. Andrew Zofkie, Cross Development representative, explained the option of using an adjacent property to install an approved septic system was explored but found to be unattainable.

Mr. Heiser asked what type of food Dollar General planned to sell at the location. Ms. Vijayan stated Dollar General would sell dry goods and some fresh fruits at the location.

Dr. Rickabaugh asked if adequate staff had been hired to support having two employees at the location during operating hours. Mr. Zofkie stated there would be at least two to three staff members working at the location during operating hours.

Dr. Rickabaugh asked if the supplier of the temporary portable restroom was a local business. Mr. Zofkie explained Porta Kleen was an Ohio based company that supplied portable restroom trailers to the Cincinnati area. He also mentioned a janitorial company had been hired to maintain cleaning the restroom trailers regularly.

Dr. Khan asked what would happen if the Ohio EPA chose to decline the request for a permanent black water holding tank. Ms. Nesbit explained all viable options had been explored and if permission was not granted for the permanent black water holding tank the building would not be operational. She stated the business location would be forced to shut down.

Dr. Khan asked if weather changes would affect the installation of the permanent black water holding tank. Mr. Zofkie stated the tank would be installed as soon as approval was granted. Mr. Wildey stated weather conditions would not be a factor for the installation of the tank.

Ms. Vijayan asked if the current store manager were to leave the position who would be responsible to execute the prepared action plan. Mr. Zofkie stated he would be onsite to oversee the functions of the store and continue to be the point of contact if management was to change over.

Ms. Nesbit stated the Dollar General staff would be expected to clean the restrooms regularly and asked what would happen if an accident occurred in the portable restrooms. Mr. Zofkie explained typically Cross Development owns the building and Dollar General leased the use of the building; the restrooms would then be cleaned by the Dollar General staff. He stated to rectify the situation Cross Development hired a janitorial company to clean the portable restrooms and the door locks would be used inside the store to keep individuals from using them.

Dr. Khan made a motion to approve the variance request for a temporary conditional occupancy of Cross Development and Dollar General's building to use a portable restroom trailer with the following contingencies: permanent tanks may be installed upon approval from Ohio EPA but no later than January 8, 2020; if the portable restroom potable water was being hauled in, proof of potable water transported by a registered water hauler and amount of water being filled must be submitted along with records kept on site for inspectors to review; if connecting to the building's water supply for the portable restroom a food grade hose must be used and a proper backflow prevention device must be installed; the black water holding tank of the portable restrooms must be pumped at a frequency to avoid overflow of sewage and pump tickets must be submitted to CCPH when the tank is pumped and at a minimum monthly prior to Board meetings also records of pump tickets must be kept onsite for inspectors to review; the restrooms must be regularly stocked, cleaned, and maintained in a clean and sanitary manner and if accidents occurred it must be reported immediately and further actions must be taken in a timely manner; prior to opening, pre-licensing inspections must be scheduled with all CCPH Divisions involved; any problems that occur during this temporary conditional occupancy period would result in action up to and including suspension or revocation of the occupancy permit and the retail food establishment license at 2977

State Route 132, Ohio Township (44-V-19). Mr. Heiser seconded the motion. The vote was all ayes; motion carried. (Attachment #6)

Black Water Holding Tank Extension Request- Ms. Nesbit reported the property owners listed below requested approval to renew their black water holding tank variance request until completion of their septic system. Ms. Nesbit stated all paperwork was in order for homeowners #1 through #3 listed below.

1. Kennard- 7252 Thompson Rd., Goshen Township (11-V-19)
2. Schneider- 4177 Amelia Olive Branch Rd., Batavia Township (31-V-19)
3. Davis- 2706 Indian Summer Dr., Tate Township (34-V-19)

Dr. Khan made a motion to approve the extension request for the black water holding tank variance for homeowners #1 through #3. Mr. Brown seconded the motion. The vote was all ayes; motion carried.

ACTION ITEMS:

Acceptance of Resignation of Karen Smith as Clerk I in the Nursing Division WIC Program- Ms. Nesbit reported Karen Smith, Clerk I in the Nursing Division WIC Program, submitted her resignation on September 24, 2019 to be effective September 24, 2019. Ms. Nesbit requested the Board formally accept Ms. Smith's resignation.

Mr. Brown made a motion to accept the resignation of Karen Smith effective September 24, 2019. Dr. Khan seconded the motion. The vote was all ayes; motion carried.

Approval to Eliminate a Full-Time WIC Clerk I Position and a Part-Time WIC Breastfeeding Peer Position, and Create a Full-Time WIC Clerk I/Breastfeeding Peer Position, and Update the Organizational Chart- Ms. Nesbit explained Karen Smith's resignation left a Full-Time WIC Clerk I Position open. She informed the Board of lower participation in the WIC program and she explained that eliminating the Full-Time WIC Clerk I and Part-Time WIC Breastfeeding Peer positions would allow for the creation of a combined Full-Time WIC Clerk I and Breastfeeding Peer. Ms. Nesbit stated there was potential for current Part-Time Breastfeeding Peers to take on the roll and split their time between the two positions if they chose to apply. Ms. Nesbit requested approval to eliminate a Full-Time WIC Clerk I Position and a Part-Time WIC Breastfeeding Peer Position, and create a Full-Time WIC Clerk I/Breastfeeding Peer Position, and update the Organizational Chart to reflect the change.

Dr. Khan made a motion to approve the elimination of a Full-Time WIC Clerk I Position and a Part-Time WIC Breastfeeding Peer Position, and create a Full-Time WIC Clerk I/Breastfeeding Peer Position, and update the Organizational Chart to reflect the change. Mr. Heiser seconded the motion. The vote was all ayes; motion carried. (Attachment #7)

Approval to Post for a Full-Time WIC Clerk I/Breastfeeding Peer Position in the Nursing Division WIC Program- Ms. Nesbit requested to post internally for the Full-Time WIC Clerk I/Breastfeeding Peer Position in the Nursing Division WIC Program.

Mr. Brown made a motion to approve posting for a Full-Time WIC Clerk I/Breastfeeding Peer in the Nursing Division WIC Program. Dr. Khan seconded the motion. The vote was all ayes; motion carried.

Third Reading of a Resolution Establishing Revised License Fees for Risk Levels I, II, III, and IV Food Service Operations or Retail Food Establishments; Vending Food Service; Temporary Food Service Operations or Retail Food Establishments; Mobile Food Service Operations or Retail Food Establishments; Food Service Operation or Retail Food Establishment Plan Reviews; Food Program Trainings; Individual Public Swimming Pools, Spas, or Special Use Pools; Government or Tax Supported School Swimming Pools, Spas, or Special Use Pools; Recreational Vehicle Parks; Recreation Camps; Combined Park Camps; Temporary Recreational Vehicle Parks, Recreation Camps, or Combined Park Camps; Tattooing, Body Piercing or Combined Body Art Establishments; Time-limited Tattooing, Body Piercing, or Combined Body Art Establishments; Tattooing, Body Piercing, or Combined Body Art Establishment Plan Reviews; Resident Camps; Water Sample Analysis; Rabies Clinic Vaccinations; Private Water System Reinspections; and Plumbing Variances Pursuant to Ohio Revised Code Section 3709.09 and 3709.21- Ms. Nesbit proceeded with the third reading of the resolution by title only. She explained a mistake with the state fee amount listed on the fees for government/tax supported school swimming pool, spa, or special use pool (additional/same address) that was listed at \$80 instead of \$55 was corrected for the official adoption and since it was a state fee it had no bearing on the adoption of local fees.

Adopt Resolution 16-19 Establishing Revised License Fees for Risk Levels I, II, III, and IV Food Service Operations or Retail Food Establishments; Vending Food Service; Temporary Food Service Operations or Retail Food Establishments; Mobile Food Service Operations or Retail Food Establishments; Food Service Operation or Retail Food Establishment Plan Reviews; Food Program Trainings; Individual Public Swimming Pools, Spas, or Special Use Pools; Government or Tax Supported School Swimming Pools, Spas, or Special Use Pools; Recreational Vehicle Parks; Recreation Camps; Combined Park Camps; Temporary Recreational Vehicle Parks, Recreation Camps, or Combined Park Camps; Tattooing, Body Piercing or Combined Body Art Establishments; Time-limited Tattooing, Body Piercing, or Combined Body Art Establishments; Tattooing, Body Piercing, or Combined Body Art Establishment Plan Reviews; Resident Camps; Water Sample Analysis; Rabies Clinic Vaccinations; Private Water System Reinspections; and Plumbing Variances Pursuant to Ohio Revised Code Section 3709.09 and 3709.21.- Ms. Nesbit requested that the Board adopt Resolution 16-19 Establishing Revised License Fees for Risk Levels I, II, III, and IV Food Service Operations or Retail Food Establishments; Vending Food Service; Temporary Food Service Operations or Retail Food Establishments; Mobile Food Service Operations or Retail Food Establishments; Food Service Operation or Retail Food Establishment Plan Reviews; Food Program Trainings; Individual Public Swimming Pools, Spas, or Special Use Pools; Government or Tax Supported School Swimming Pools, Spas, or Special Use Pools; Recreational Vehicle Parks; Recreation Camps; Combined Park Camps; Temporary Recreational Vehicle Parks, Recreation Camps, or Combined Park Camps; Tattooing, Body Piercing or Combined Body Art Establishments; Time-limited Tattooing, Body Piercing, or Combined Body Art Establishments; Tattooing, Body Piercing, or Combined Body Art Establishment Plan Reviews; Resident Camps; Water Sample Analysis; Rabies Clinic Vaccinations; Private Water System Reinspections; and Plumbing Variances Pursuant to Ohio Revised Code Section 3709.09 and 3709.21.

Mr. Heiser made a motion to adopt Resolution 16-19 Establishing Revised License Fees for Risk Levels I, II, III, and IV Food Service Operations or Retail Food Establishments; Vending Food Service; Temporary Food Service Operations or Retail Food Establishments; Mobile Food Service Operations or Retail Food Establishments; Food Service Operation or Retail Food Establishment Plan Reviews; Food Program Trainings; Individual Public Swimming Pools, Spas, or Special Use Pools; Government or Tax Supported School Swimming Pools, Spas, or Special Use Pools;

Recreational Vehicle Parks; Recreation Camps; Combined Park Camps; Temporary Recreational Vehicle Parks, Recreation Camps, or Combined Park Camps; Tattooing, Body Piercing or Combined Body Art Establishments; Time-limited Tattooing, Body Piercing, or Combined Body Art Establishments; Tattooing, Body Piercing, or Combined Body Art Establishment Plan Reviews; Resident Camps; Water Sample Analysis; Rabies Clinic Vaccinations; Private Water System Reinspections; and Plumbing Variances Pursuant to Ohio Revised Code Section 3709.09 and 3709.21 The motion was seconded by Mr. Brown. The vote was all ayes; motion carried. (Attachment #8)

Adoption of Resolution 17-19 Declaring Properties Public Health Nuisances- Ms. Nesbit presented the addresses of three properties to be considered public health nuisances as stated on Attachment B of Resolution 17-19 Declaring Public Health Nuisances and Ordering Abatement of Nuisances at the identified properties.

Following a review and discussion, Dr. Khan made a motion to adopt Resolution 17-19 to declare the properties listed on Attachment B public health nuisances, to declare the resolution an emergency order, and to waive the required three readings. The motion further stated if corrections were not made within the allotted time, the nuisance cases would be referred to the Health District's legal counsel for appropriate action. Mr. Brown seconded the motion. The vote was all ayes; motion carried. (Attachment #9)

Approval of Board of Health Meeting Minutes for September 11, 2019- Dr. Rickabaugh inquired if there were any additions or corrections to the minutes from the September 11, 2019 Board of Health Meeting. There were no additions or corrections.

Mr. Brown made a motion to approve the minutes for the September 11, 2019 Board of Health meeting. Dr. Khan seconded the motion. The vote was all ayes; motion carried.

Approval and Payment of Bills- Ms. Nesbit presented the Health District's bills for consideration. Following the Board's review and discussion, Mr. Brown made a motion to pay the bills as presented. Dr. Khan seconded the motion. The vote was all ayes; motion carried. (Attachment #10)

DISCUSSION ITEMS:

Discuss Proposed 2020 Appropriations Budget- Ms. Nesbit explained typically the appropriations budget and proposal for staff raises was brought to the November Board meeting; however, she wanted to discuss several budget options before proceeding with an official budget proposal. She reported there was potential to restructure the Nursing Division by not continuing with the Get Vaccinated Ohio (GVO) Grant. Ms. Nesbit explained it was difficult for the agency to receive the maximum reimbursement offered through the grant due to the way it was setup. To explain the pros and cons of the GVO Grant, Ms. Lindner was asked to present to the Board. Ms. Lindner's presentation explained the GVO Grant was deliverable based and was restrictive in the amount of funding reimbursed back to the agency. Overall it was determined the agency was spending more than was received in reimbursement from the GVO Grant each year. Ms. Nesbit stated many of the requirements of the GVO Grant would continue to be supported by the Nursing Division in the community and without the grant, staff would be able to offer more to the community in other areas of need; such as Sexually Transmitted Infections (STI's), which had increased locally.

Ms. Stapleton presented six budget options to the Board. The first two options included the continuance of the GVO Grant. Of those two, one included providing raises to staff and the second

included a performance reward to staff. Ms. Stapleton explained four of the budget scenarios were without the continuance of the GVO Grant. The first two options both included budgeting \$30,000 from cash reserves; where one depicted staff raises and the other depicted performance rewards. The final two budget options included staff raises or performance rewards but did not budget from cash reserves. Ms. Stapleton explained none of the provided budget options would require asking the townships or villages for more funding. She explained the agency originally budgeted for a 10% increase for employee health benefits for the fiscal year, but employee health benefits were only increased by 1.7%.

Mr. Brown asked if not participating in the GVO Grant would affect accreditation for the agency. Ms. Nesbit explained discontinuing participation in the GVO Grant would not affect the agency's accreditation but the potential to explain why the grant was not continued was a possibility.

Ms. Nesbit asked for feedback from the Board on which budget proposal was preferred to be brought to the November 13, 2019 meeting. The Board requested a proposal which included staff raises, the use of cash reserves, and the discontinuance of the GVO Grant be brought to the November 13, 2019 meeting.

In-service Day/ Employee Recognition- Ms. Nesbit stated staff would attend the annual in-service day meeting on Monday, October 14, 2019. She explained employee recognition would be held, along with trainings in the morning and fun team building events in the afternoon.

Board of Health Bylaws Quality Improvement Project- Ms. Nesbit reported to the Board she had been continuing her work on the bylaws quality improvement project. She explained she is in the process of working with the Prosecutor's Office on a consent agenda to be used at Board meetings. Ms. Nesbit stated the Prosecutor agreed that bylaws would benefit the Board but wanted to write a legal opinion on the actions that could be placed on the consent agenda. She stated the Board would be updated on the project as it moved forward.

EXECUTIVE SESSION:

Ongoing Employment of an Employee - At 7:55 PM, Dr. Khan made a motion to enter executive session to discuss the ongoing employment of an employee. Mr. Brown seconded the motion. The vote upon roll was Mr. Brown, aye; Dr. Khan, aye; Mr. Heiser, aye; Dr. Rickabaugh, aye; motion carried.

At 8:32 PM, Mr. Heiser made a motion to come out of executive session. Dr. Khan seconded the motion. The vote upon roll was Mr. Brown, aye; Dr. Khan, aye; Mr. Heiser, aye; Dr. Rickabaugh, aye; motion carried.

ADJOURNMENT:

Mr. Heiser made a motion to adjourn the meeting at 8:33 PM. Dr. Khan seconded the motion. The vote was all ayes; motion carried.

Janet Rickabaugh

DR. JANET RICKABAUGH

Eric Heiser

ERIC HEISER

Dennis Brown

DENNIS BROWN

ANDREW CRUM

DR. JOSEPH KHAN

Bethany Beutsch
Respectfully Submitted