



Clermont County Public Health

Prevent. Promote. Protect.

Clermont County General Health District Board of Health Meeting

The Clermont County Board of Health held its monthly meeting on November 9, 2022. President Janet Rickabaugh called the meeting to order at 6:30 p.m. Dr. Rickabaugh led the Board Members and guests in the Pledge of Allegiance.

Call to Order: Dr. Janet Rickabaugh, present Dr. Joseph Khan, absent
 Andrew Crum, absent Dennis Brown, present
 Steve Meadors, present

Others present included Julianne Nesbit, Health Commissioner; Tim Kelly, Assistant Health Commissioner of Environmental Health Services; Maalini Vijayan, Assistant Health Commissioner of Community Health Services; Tara Jimison, Director of Nursing; Brian Williamson, Director of Environmental Health; Jessica Johnson, Administrative Assistant; Brianna Wolken, Injury Prevention Coordinator, and others as listed on Attachment #1.

CONSENT AGENDA:

Ms. Nesbit stated a consent agenda was prepared for the Board and asked if any member wanted items moved to the non-consent agenda for further discussion and consideration. No members requested further discussion of items on the consent agenda. Ms. Nesbit recommended approval of the following items:

- 1. Approval of Board of Health Meeting Minutes for October 12, 2022** - Recommendation to approve the minutes from the October 12, 2022 Board of Health Meeting.
- 2. Approval of Satisfaction of Mortgage Relative to the Septic System Rehabilitation Financing Program**- Recommendation to execute Satisfaction of Mortgage, certifying the terms of the mortgage and promissory note it secured have been satisfied and authorizing the Recorder to release the mortgage of record as it relates to the Septic System Rehabilitation Financing Program. (Attachment #2)
 - a. Danny K. Perry and Pauline Perry – 2634 Moler Rd., Wayne Township
- 3. Approval of Mortgage Subordination for Karah Mueller and William Mueller at 5698 Chestnut View Ln.** - Recommendation to approve subordination of mortgage for Karah Mueller and William Mueller. (Attachment #3)
- 4. Variances Black Water Holding Tank Extension Requests** - Recommendation to approve extending the variances for black water holding tanks for an additional month.
 - a. Wolfson – 3976 Greenbriar, Batavia Township (38-V-21)
 - b. CCET, LLC - 880 Roundbottom Rd., Union Township (44-V-21)
 - c. Burns - 2487 Cedarville Rd, Goshen Township (14-V-22)
 - d. Perry - 2702 Indian Summer Drive, Tate Township (18-V-22)
 - e. Kapraszewski - 2705 Indian Summer Drive, Tate Township (19-V-22)
 - f. Klein – 3010 Jackson Pike, Jackson Township (26-V-22)
 - g. Downey – 5404 St. Rt. 133, Jackson Township (27-V-22)

5. **Accept Resignation of David Dumford, Environmental Health Specialist in the Water and Waste Division** - Recommendation to accept the resignation of David Dumford, Environmental Health Specialist in the Water and Waste Division, effective Monday, October 31, 2022.
6. **Accept Resignation of Marcella Ranieri, WIC Dietitian in the Nursing Division** - Recommendation to accept the resignation of Marcella Ranieri, WIC Dietitian in the Nursing Division, effective Friday, November 25, 2022.
7. **Approval of Promotion of Megan Cox from Temporary Environmental Health Specialist-in-Training to Permanent Environmental Health Specialist-in-Training in the Environmental Health and Water and Waste Divisions** - Recommendation to promote Megan Cox from Temporary Environmental Health Specialist-in-Training to Permanent Environmental Health Specialist-in-Training in the Environmental Health and Water and Waste Divisions, effective Monday, October 31, 2022, at the salary indicated on the attached salary sheet. (Attachment #4)
8. **Approval of Travel Stipend from Interact for Health for the 2023 National Forum on Overdose Fatality Review** - Recommend approval to apply for and receive a travel stipend to the 2023 National Forum on Overdose Fatality Review.

Mr. Brown made a motion to approve consent agenda items #1 through #8. Mr. Meadors seconded the motion. The vote was all ayes, motion carried.

NON-CONSENT AGENDA:

Variances:

Isolation Distance at 4350 Mt. Carmel Rd., Union Township (35-V-22) - Ms. Nesbit stated the listed owner, Mt. Carmel Farms, was requesting an isolation distance variance for a new proposed three-bedroom home at 4350 Mt. Carmel Rd., Union Township (35-V-22). Due to lot disturbance and contours, the septic system is located at the only available site on the property. The supply line crosses the Duke Energy utility easement and underground electrical line and crosses underneath the roadway. The property owner has been given permission from Duke Energy to cross the easement and electrical line. Staff recommended approval.

The agent for the property, Cadi Kelly, was present. Ms. Kelly provided no additional information.

Mr. Brown made a motion to approve the request to grant the variance for an isolation distance wherein the supply line crosses the Duke Energy utility easement and underground electrical line and crosses underneath the roadway at 4350 Mt. Carmel Rd., Union Township (35-V-22). Mr. Meadors seconded the motion. The vote was all ayes, motion carried. (Attachment #5)

Isolation Distance at 4027 Barrick Low Rd., Williamsburg Township (36-V-22) - Ms. Nesbit stated the property owner, Joe Stricker (Shape Up Properties LLC), was requesting an isolation distance variance regarding the replacement of a National Pollutant Discharge Elimination System (NPDES) septic system at 4027 Barrick Low Rd., Williamsburg Township (36-V-22). Due to lot contours and dimensions, the NPDES is the homeowner's only option, and discharge to the front road ditch is the best available choice. Discharging to the rear of the property would entail trenching through black water to get to an outlet. Trenching to the front road ditch will be less than 10 feet from the property line. Staff recommended approval with the conditions the homeowner should plan work so machinery is not driven onto the adjoining property, and any incidental damage to the adjoining property must be repaired.

The property owner, Joe Stricker, was present. Mr. Stricker did not provide any additional information.

Mr. Brown made a motion to approve the request to grant the variance for an isolation distance variance wherein the distance between the house and property line to the discharge line will be less than 10 feet at 4027 Barrick Low Rd., Williamsburg Township (36-V-22). Mr. Meadors seconded the motion. The vote was all ayes, motion carried. (Attachment #6)

Isolation Distance at 5564 Mount Zion Rd., Miami Township (37-V-22) – Ms. Nesbit stated the property owner, Denny Daulton, was requesting an isolation distance variance for a new proposed addition to the home at 5564 Mount Zion Rd., Miami Township (37-V-22). The variance request was for an isolation distance of less than 10 feet from the proposed addition to the existing septic system components. The proposed addition will be six and one-half feet from the edge of the septic tank. Staff recommended approval with the conditions to use caution when excavating near the septic system components, not drive construction equipment over the tanks, and protect the septic system from damage.

The property owner, Denny Daulton, was present. Mr. Daulton provided no additional information.

Mr. Meadors inquired as to the type of system. Ms. Nesbit stated the system was a leach bed system. Mr. Meadors also asked if the system was gravity fed with no electric. Ms. Nesbit confirmed the system was gravity fed and had no electric.

Mr. Brown made a motion to approve the request to grant the isolation distance variance wherein a new addition to the home will be six and one-half feet from the edge of the septic tank at 5564 Mount Zion Rd., Miami Township (37-V-22). Mr. Meadors seconded the motion. The vote was all ayes, motion carried. (Attachment #7)

Isolation Distance at 3677 Merwin 10 Mile Rd., Pierce Township (38-V-22) – Ms. Nesbit stated the property owners, Karen and John Leming, are requesting an isolation distance variance for a swimming pool constructed over one leach line at 3677 Merwin 10 Mile Rd., Pierce Township (38-V-22). The swimming pool has been constructed over the top of one of four leach lines. In addition, a possible sewage wastewater overflow pipe is located at the rear of the property inside a wooded area. No visible evidence of a sewage treatment system malfunction was observed due to the swimming pool construction. No sewage wastewater was observed discharging from the end of the possible sewage wastewater overflow pipe. Based on the conditions observed at the site, staff recommended approval with the condition that should the sewage treatment system malfunction in the future, a replacement sewage treatment system should be installed at the property.

The property owner, John Leming, was present. Mr. Leming stated he was present when the pool was constructed, grading was completed on only one side of the pool, and the installers did not come into contact with any buried underground obstacles. He indicated he was unaware of the location of the leach lines at the time of the pool's construction.

Mr. Meadors asked if the pool was an above-ground pool. Ms. Nesbit confirmed it was an above-ground pool.

Mr. Meadors made a motion to approve the request to grant the variance for a swimming pool to be constructed over the top of one of four leach lines at 3677 Merwin 10 Mile Rd., Pierce Township (38-

V-22), conditional upon the homeowner correcting any issues if the system should fail in the future. Mr. Brown seconded the motion. The vote was all ayes, motion carried. (Attachment #8)

Isolation Distance at 857 Veralois Lane, Miami Township (39-V-22) – Ms. Nesbit stated the property owner, Ryan Dial, is requesting an isolation distance variance for approval to build a detached garage with 8'5" of clearance to the leach bed at 857 Veralois Lane, Miami Township (39-V-22). Staff recommended approval.

The property owner, Ryan Dial, was not present.

Mr. Brown asked if the property owner would need zoning permits from Miami Township. Ms. Nesbit stated Mr. Dial would need zoning permits from Miami Township.

Mr. Meadors made a motion to approve the request to grant the isolation distance variance to build a detached garage with 8'5" of clearance to the leach bed at 857 Veralois Lane, Miami Township (39-V-22). Mr. Brown seconded the motion. The vote was all ayes, motion carried. (Attachment #9)

Isolation Distance at 6688 Branch Hill Guinea Pike, Miami Township (40-V-22) – Ms. Nesbit stated the property owners, Angela and Brent Walls, are requesting an isolation distance variance to construct a new mound system at 6688 Branch Hill Guinea Pike, Miami Township (40-V-22). The new system would be approximately 9 feet from the west property line and 8 feet from the east property line. The Ohio Department of Health rule states there must be a minimum of 10 feet from the mound system to the parcel boundaries. The proposed mound will also be approximately 40 feet from a pond on the adjacent property. The Ohio Department of Health rule states there must be a minimum of 50 feet from the soil absorption component and surface water. Due to lot contours and dimensions, the proposed mound location is the best site available on the property. Staff recommended approval with conditions including machinery used completing the work should not be driven onto adjoining property, a silt fence or other storm water management devices must be installed between the work area and the pond, and any incidental damage to the adjoining property must be repaired.

The property owner was present and provided no additional information.

Mr. Brown made a motion to approve the request to grant the isolation distance variance to construct a new mound system less than 10 feet from the property lines and less than 50 feet from a pond on adjacent property at 6688 Branch Hill Guinea Pike, Miami Township (40-V-22). Mr. Meadors seconded the motion. The vote was all ayes, motion carried. (Attachment #10)

Connect a New Home to an Existing Household Sewage Treatment System at 823 Maple Creek Rd., Washington Township (41-V-22) – Ms. Nesbit stated the property owner, Eric VanOver, was requesting a variance to connect a new one-bedroom home to an existing household sewage treatment system at 823 Maple Creek Rd., Washington Township (41-V-22). The existing system consists of a septic tank followed by 600 linear feet of leach lines with a gravity flow gradient drain behind the proposed house location. The inspector noted the lid to the riser was broken. The inlet and outlet baffles inside the tank could not be verified due to the buried access ports. Only three leach lines could be verified due to excessive overgrowth of trees, bushes, and vegetation. Three drop boxes were located at the end of the leach lines; however, one box was missing its lid, one was partially covered with a piece of siding with holes, and a fallen dead tree covered one box. The end of the gradient drain discharge pipe could not be located due to vegetation overgrowth. There was no history of failure on record, and the last inspection occurred in August 2012. The property has

been vacant since then. The system has an excessive overgrowth of trees, bushes, and vegetation, which may have caused permanent, irreversible damage caused by root intrusion to the leach lines. Staff recommended disapproval.

The property owner, Eric VanOver, was present. Mr. VanOver indicated he bought the property in May 2022 and also owns one and one-half acres next to it. He estimated the existing system was installed in 1997 or 1998, and he wished to build a barn-type metal-sided home with one bedroom. He would be the only resident. There is a 20x30 barn as well as a lean-to on the property. He stated the brush and other debris have been on the property for quite some time, and he intends to clean it up and install a water meter in the near future.

Mr. Meadors asked if the wooded area was down slope from the system. Mr. VanOver confirmed the wooded area was down slope from the system.

Ms. Nesbit stated the staff could not be sure if the system was operable due to the current condition. She suggested the owner replace the lids and clean up the property, and then the system would be inspected during the routine operation permit assessment. Mr. Brown added any stumps should not be pulled out of the ground, and Mr. Meadors advised against any digging during the clean-up process.

Mr. Meadors made a motion to approve the variance to connect a new one-bedroom home to an existing household sewage treatment system at 823 Maple Creek Rd., Washington Township (41-V-22). Mr. Brown Seconded the motion. The vote was all ayes, motion carried. (Attachment #11)

PUBLIC COMMENT:

No members of the public were present to offer comments.

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; and Mobile Food Service Operations or Retail Food Establishments Pursuant to Ohio Revised Code Section 3709.09 and 3709.21

Ms. Nesbit held the third reading of the 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; and mobile food service operations or retail food establishments pursuant to Ohio Revised Code Section 3709.09 and 3709.21 by title only.

Adoption of Resolution 14-22 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; and Mobile Food Service Operations or Retail Food Establishments Pursuant to Ohio Revised Code Section 3709.09 and 3709.21-

Ms. Nesbit requested the Board adopt Resolution 14-22 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; and mobile food service operations or retail food establishments pursuant to Ohio Revised Code Section 3709.09 and 3709.21.

Mr. Brown made a motion to adopt Resolution 14-22 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; and mobile food service operations or retail food establishments pursuant to Ohio Revised Code Section 3709.09 and 3709.21. Mr. Meadors seconded the motion. The vote was all ayes; motion carried. (Attachment #12)

First Reading of a Resolution Establishing Vital Statistics Fees For Birth And Death Records Pursuant To Ohio Revised Code Sections 3709.09 and 3709.21 – Ms. Nesbit informed the Board the vital statistics fees have not been increased since 2010. She proposes raising the fee for certified birth and death records to \$25.00. The health district would only keep \$11.64 of this fee, as the remaining \$13.36 are state-mandated fees paid to other entities. She is also proposing charging \$3.00 for birth and death affidavits. The birth and death affidavits are forms to correct typographical errors or other minor problems on the records and are required to be notarized. Ms. Nesbit is not proposing a fee for paternity affidavits due to reimbursement from a separate contract.

Ms. Nesbit held the first reading of the Resolution establishing vital statistic fees for birth and death records pursuant to Ohio Revised Code Section 3709.09 and 3709.21 by title only.

Approval of Additional Appropriations in Fund 7323 (Bioterrorism) – Ms. Nesbit requested an additional appropriation for the Bioterrorism Fund (7323) in the amount of \$20,000 from the 2022 cash carryover. She indicated the additional appropriation would be allocated as follows: \$7,000 for salaries, \$3,000 for benefits, and \$10,000 for purchased services.

Mr. Brown made a motion to request an additional appropriation for the Bioterrorism Fund (7323) in the amount of \$20,000 from the 2022 cash carryover. Mr. Meadors seconded the motion. The vote was all ayes; motion carried. (Attachment #13)

Approval and Payment of Bills- Ms. Nesbit presented the Health District's bills for consideration. Following the Board's review and discussion, Mr. Meadors made a motion to pay the bills as presented. Mr. Brown seconded the motion. The vote was all ayes; motion carried. (Attachment #14)

Adoption of A Resolution Declaring Properties Public Health Nuisances - Ms. Nesbit noted four members were required to adopt a resolution as an emergency order and suggested tabling the resolution declaring properties public health nuisances until the December 14, 2022 meeting.

Mr. Brown made a motion to table the adoption of a resolution declaring properties public health nuisances until the December 14, 2022 meeting. Mr. Meadors seconded the motion. The vote was all ayes; the motion carried.

BOARD OF HEALTH EDUCATION:

2021 Overdose Fatality Review and Drug Prevention Efforts in Schools –

Brianna Wolken, Clermont County Public Health Injury Prevention Coordinator, presented an Overdose Fatality Review to the Board. The review consisted of comprehensive information on the circumstances surrounding unintentional overdose deaths in 2021 and to date for 2022. She also discussed intervention points. (Attachment #15)

Lee Ann Watson, Executive Director of the Clermont County Mental Health and Recovery Board, also gave a presentation to the Board outlining the role of the Clermont County Mental Health and Recovery Board as well as prevention services and programs available for youth and adults for substance use prevention and mental health prevention. (Attachment #16)

EXECUTIVE SESSION

Discuss Proposed Staff Performance Raises, Cost Of Living Adjustments, Promotions, and Performance Raises Pursuant to O.R.C. 121.22(G)(1) - At 7:55 p.m., Mr. Brown made a motion to enter into executive session to discuss proposed staff performance raises, cost of living adjustments, promotions, and performance raises pursuant to O.R.C. 121.22(G)(1). Mr. Meadors seconded the motion. The vote upon roll was Dr. Rickabaugh, aye; Mr. Meadors, aye; Mr. Brown, aye; motion carried.

At 8:25 p.m., Mr. Brown made a motion to come out of executive session. Mr. Meadors seconded the motion. The vote upon roll was Dr. Rickabaugh, aye; Mr. Meadors, aye; Mr. Brown, aye; motion carried.

Approval to Update the Pay Ranges for Classified Positions- Ms. Nesbit requested approval to update the pay ranges for classified positions.

Mr. Brown made a motion to approve updates to the pay ranges for classified positions. Mr. Meadors seconded the motion. The vote was all ayes; motion carried. (Attachment #17)

Approval of Staff Raises and Promotions- Ms. Nesbit requested approval of performance raises and promotions for permanent staff and cost of living increases for temporary staff, including the promotion of Claudia Kadon to an Environmental Health Specialist I in the Environmental Health Division, Mark Owens to a Water Quality Technician 2 in the Water and Waste Division, and Kimberly Williams to Vital Statistics Registrar in the Administration Division.

Mr. Brown made a motion to approve performance raises and promotions for permanent staff and cost of living increases for temporary staff as proposed, effective November 14, 2022. Mr. Meadors seconded the motion. The vote was all ayes; motion carried. (Attachments #18 - #21)

Approval of 2023 Appropriations Budget- Ms. Nesbit presented the 2023 Appropriation Budget. Ms. Nesbit proposed a 3.08% (\$144,063.00) decrease to the budget, which was largely due to how the Septic Rehab reimbursements are being processed. Katrina Stapleton, Fiscal Officer, has worked with the Clermont County Auditor's office to have these reimbursements applied to the ledger on the expense side rather than being considered revenue. The proposed budget does not appropriate funds from cash reserves and does not include any increases in the Township, Village, and City of Milford contributions. The proposed increase in vital statistic fees is included as well as three proposed staff positions, including an additional permanent part-time Office Specialist 1 for the Permit Central Office and two six-month interns, one for epidemiology and one for communications. A grant award for Workforce Development is anticipated as well as tax liens on unpaid fees. The Children with Medical Handicaps Fund will also be bringing in increased revenue. The budget may increase for the Solid Waste Fund 7312 due to the new transfer facility being uncertain at this time.

Mr. Brown made a motion to approve the 2023 appropriations budget as presented. Mr. Meadors seconded the motion. The vote was all ayes; motion carried. (Attachment #22)

Approval to Create Permanent Part-Time Office Specialist 1 Position in the Administrative Services Branch for the Permit Central Office and Update to the Organizational Chart - Ms. Nesbit requested approval to create a permanent part-time Office Specialist 1 position in the Administrative Services Branch for the Permit Central Office and an update to the organizational chart.

Mr. Meadors made a motion to approve creating a permanent part-time Office Specialist 1 position in the Administrative Services Branch for the Permit Central Office and updating the organizational chart. Mr. Brown seconded the motion. The vote was all ayes; motion carried. (Attachment #23)

ADDITIONAL INFORMATION:

- 1) Memorandum of Understanding with the Clermont County Engineer** - Ms. Nesbit explained to the Board the Memorandum of Understanding with the Clermont County Engineer for High Weeds Abatement was set to expire and will not be renewed based on a Prosecutor's opinion.

ADJOURNMENT:

Mr. Brown made a motion to adjourn the meeting at 8:35 p.m. Mr. Meadors seconded the motion. The vote was all ayes; motion carried.



SECRETARY



RESPECTFULLY SUBMITTED