



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 12, 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, present
 Andrew Crum, present Dennis Brown, present
 Steve Meadors, absent

Others present included Dr. James Kaya, Medical Director; Julianne Nesbit, Health Commissioner; Tim Kelly, Assistant Health Commissioner of Environmental Health Services; Tara Jimison, Director of Nursing; Robert Wildey, Director of Water and Waste; Brian Williamson, Director of Environmental Health; Jessica Johnson, Administrative Assistant; 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 September 14, 2022 -** Recommendation to approve the minutes from the September 14, 2022 Board of Health Meeting.
- 2. 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. Yackey - 5742 Baas Rd, Stonelick Township (5-V-22)
 - d. Burns - 2487 Cedarville Rd, Goshen Township (14-V-22)
 - e. Perry - 2702 Indian Summer Drive, Tate Township (18-V-22)
 - f. Kapraszewski - 2705 Indian Summer Drive, Tate Township (19-V-22)
 - g. Klein – 3010 Jackson Pike, Jackson Township (26-V-22)
 - h. Downey – 5404 St. Rt. 133, Jackson Township (27-V-22)

Mr. Brown made a motion to approve consent agenda items #1 and #2. Dr. Khan seconded the motion.

NON-CONSENT AGENDA:

Variances:

Black Water Holding Tank Extension Request – Ms. Nesbit stated no pump ticket was received for the black water holding tank variance extension request for Wolfson – 3976 Greenbriar, Batavia

Township (38-V-21). She suggested tabling approval of the extension until the November 9, 2022, meeting.

Dr. Khan made a motion to table approval of the black water holding tank variance extension request for Wolfson – 3976 Greenbriar, Batavia Township (38-V-21) until the November 9, 2022, meeting. Mr. Crum seconded the motion. The vote was all ayes; motion carried.

Isolation Distance at 4529 Shepherds Way, Batavia Township (27-V-22) – Ms. Nesbit stated Bill McPartland wanted to place a pole barn on a lot with an existing leach line system at 4529 Shepherds Way, Batavia Township (27-V-22). The corner of the pole barn will be three feet from the curtain drain line. Staff recommended approval.

The property owner, Bill McPartland, was present.

Mr. Crum made a motion to approve the request to grant the variance for an isolation distance wherein the corner of the pole barn would be three feet from the curtain drain line at 4529 Shepherds Way, Batavia Township (27-V-22). Dr. Khan seconded the motion. The vote was all ayes, motion carried. (Attachment #2)

Connect a New Four-Bedroom Home to the Existing Household Sewage Treatment System at 2592 St. Rt. 132, Ohio Township, (34-V-22) – Ms. Nesbit stated Joshua and Laura Schafer requested approval to connect a new four-bedroom home to the existing leach line system at 2592 St. Rt. 132, Ohio Township, (34-V-22). The current system consists of a septic tank followed by 92 linear feet of leach lines. The tank is very close to the driveway and may be susceptible to vehicle damage. The condition of the PVC baffle on the outlet side of the septic tank could not be determined due to the lid being buried. A large section of the leach line portion of the septic system is located on the adjacent owner's property. The current system is very undersized. A second septic system, a Coate Aer aerobic treatment unit (ATU), is located on the property. This second system is approximately 250 feet away from the proposed house and is in an area overgrown with excessive vegetation and small trees. There are several missing lids and no motor on the unit. The system discharge pipe could not be located but is likely also located on an adjacent property. Staff recommended disapproval. Ms. Nesbit indicated staff would recommend approval of the variance contingent on the homeowners either 1) obtaining an easement or 2) transferring the portion of the property containing the leach lines to allow the entire system to be located on the same property.

The homeowners, Joshua and Laura Schafer, were present and stated the adjacent property in question was owned by a family member, and the terms of an easement are being finalized between the two parties.

Mr. Crum inquired as to the soil condition. Robert Wildey, Director of Water and Waste, indicated the soil was good, and there would most likely be no problems if a replacement system was needed.

Mr. Crum asked what size home the current leach lines were sized for. The homeowners indicated the current leach lines were sized for a four-bedroom home. Mr. Wildey indicated a new replacement system would be slightly larger, but the current system should be adequate depending on the number of people living in the home.

Dr. Khan asked if the new home contained the same number of bedrooms and persons living in the home as the previous home. The homeowners indicated the new home had the same number of bedrooms as the previous home, and the same number of people would be living in the new home.

Mr. Crum asked if approval by staff would also be contingent on the homeowners replacing or remediating the system if it should fail. Ms. Nesbit stated the approval would include this contingency, and the homeowners must show proof of a recorded easement.

Dr. Khan asked if the current tank had been replaced at some point. Ms. Nesbit stated it appeared the tank was replaced at some unknown time with a plastic tank located three feet from the driveway; however, staff has no knowledge of when it may have occurred.

Mr. Crum made a motion to approve the request to connect a new four-bedroom home to the existing household sewage treatment system at 2592 St. Rt. 132, Ohio Township (34-V-22), contingent upon the homeowners showing proof of a recorded easement and with the understanding if the system should fail, the homeowners must replace or remediate the system. Mr. Brown seconded the motion. The vote was all ayes, motion carried. (Attachment #3)

Private Water at 2793 Weaver Rd., Stonelick Township (28-V-22) – Ms. Nesbit stated Andy Lymburner requested to use the Wisy Vortex Roof Washer on their new private water system. The Wisy Vortex Roof Washer is a larger capacity roof washer used to handle roof drainage instead of using multiple single roof washers. Ms. Nesbit indicated variances for this roof washer have been approved in the past, and staff recommended approval.

Dr. Khan made a motion to approve the request to use the Wisy Vortex Roof Washer for the private water system at 2793 Weaver Rd., Stonelick Township (28-V-22). Mr. Crum seconded the motion. The vote was all ayes, motion carried. (Attachment #4)

PUBLIC COMMENT:

No members of the public were present to offer comments.

Public Hearing on Proposed Revision to the 2022 Food Fees – AT 6:45 p.m. Ms. Nesbit called to order the hearing concerning the Clermont County Board of Health's proposed fees for the food program for 2023. She stated on September 14, 2022, the Board accepted the proposed food program fees for Clermont County for the 2023 licensing year. All current licensees were notified by mail on September 16, 2022, of the hearing to be held at the October 12, 2022, Board meeting for public discussion on the proposed fees. She noted that given Mr. Crum's request for collecting fees from temporaries from surrounding counties, she was proposing leaving the temporary FSO and RFE fees at \$52.00. She reviewed the proposed 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.

The hearing was then opened up to testimony. No one was present to comment on the fees. Ms. Nesbit added that the notifications also provided the opportunity for comments to be sent via phone, email, or mail. She stated no comments were received from license holders, and the hearing was closed at 6:49 p.m.

Second 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 second 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. The third and final reading is scheduled for November 9, 2022.

Approval of the Performance Management and Quality Improvement Plan

Ms. Nesbit presented the new combined Performance Management and Quality Improvement Plan to the Board for approval. She explained these were originally two separate plans, and the Board had previously approved the Quality Improvement Plan. She further explained it made more sense to combine the two plans so there would be one comprehensive document outlining the foundation and structure by which Clermont County Public Health conducts performance management and quality improvement. Dr. Rickabaugh indicated the plan was well written. Ms. Nesbit acknowledged Maalinii Vijayan for her work on the plan.

Mr. Brown made a motion to approve the Performance Management and Quality Improvement Plan. Dr. Khan seconded the motion. The vote was all ayes, motion carried. (Attachment #5)

Approval and Payment of Bills- Ms. Nesbit presented the Health District's bills for consideration. Following the Board's review and discussion, Mr. Crum made a motion to pay the bills as presented. Dr. Khan seconded the motion. The vote was all ayes; motion carried. (Attachment #6)

Adoption of Resolution 13-22 Declaring Properties Public Health Nuisances - Ms. Nesbit presented the addresses of seven properties to be considered public health nuisances as stated in Attachments A and B of Resolution 13-22 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 13-22, to declare the properties listed on Attachments A and 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. Crum seconded the motion. The vote was all ayes; motion carried. (Attachment #7)

DISCUSSION ITEMS:

Members of the Board asked about the progress of the correction of violations at The Ugly Goat Social Club. Assistant Health Commissioner of Environmental Health Services, Tim Kelly, stated the owner of The Ugly Goat Social Club, Nathan Jeffries, had called the week prior to the Board of Health meeting. Mr. Jeffries claimed he had not received notice of the Hearing to Suspend or Revoke the Food Service Operation License held on September 14, 2022, even though it was in the original order issued by the Board, which Mr. Jeffries received. He wanted to come to the October Board of Health meeting to speak with the Board directly. Mr. Kelly stated Mr. Jeffries desired to obtain permission from the Board of Health to cook frozen pizza at his establishment. Mr. Kelly informed Mr. Jeffries he was welcome to come to the October Board of Health meeting and address the Board during the public comment portion of the meeting, but he would be limited to a short amount of time to speak, and the Board would have no obligation to respond to him. Mr. Kelly also advised Mr. Jeffries he could request a hearing by following the bylaws of the Board. Mr. Kelly emailed the bylaws to Mr. Jeffries. Mr. Kelly stated Mr. Jeffries sent several pictures to him showing the hole in the wall where the proposed hood would be installed and a picture of the uninstalled hood on the floor. There were no pictures of the fire suppression system. Mr. Kelly advised the Board he had spoken to the Clermont County Building Department, and they stated Mr. Jeffries has all necessary permits but lacks several necessary inspections. As of the date of the meeting, Mr. Jeffries had not called to schedule those inspections.

Mr. Kelly explained to the Board Mr. Jeffries could not sell alcohol without a food license. Brian Williamson, Director of Environmental Health, confirmed the establishment remains closed.

BOARD OF HEALTH EDUCATION:

St. Vincent de Paul Charitable Pharmacy – At 7:08 p.m., Rusty Curington, Director of Pharmacy, St. Vincent de Paul Charitable Pharmacy, shared a presentation with the Board regarding the charitable pharmacy opening in Milford in the summer of 2023. St. Vincent de Paul operates two other charitable pharmacies in Hamilton County with great success. The mission of the pharmacies is to provide prescribed medications on a short-term basis to people who cannot afford to purchase their medications. They also provide emergency vouchers for people to obtain their medications and work with low-income, uninsured, and underinsured people to connect them with services and programs to help them get their prescriptions in the future. The presentation was followed by a brief discussion and ended at 7:33 p.m. (Attachment #8)

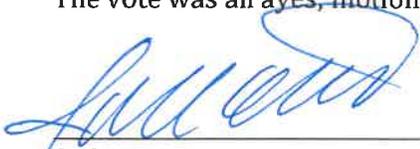
ADDITIONAL INFORMATION:

- 1) **Unlicensed campground at 1351 U.S. Highway 52, New Richmond, Ohio** – Mr. Kelly advised there has been no response filed on behalf of the campground owner; therefore, a hearing will take place on October 19, 2022, in the Clermont County Common Pleas Court, wherein Mr. Williamson will be testifying regarding the violations. Dr. Khan inquired as to how the campground could come into compliance. Mr. Kelly stated for the campground to be in compliance, there must be five or fewer recreational vehicles, or it needs to be approved as a licensed campground. Mr. Williamson advised the application fee is \$1,200.00, and the current problem involves the lack of engineering plans for the water and sewer designs. The state must approve the plans. Currently, there is no EPA application, so the state cannot approve the plans.

- 2) **CDC Public Health Associate** – Ms. Nesbit stated the Associate provided by the CDC resigned due to relocation issues. The agency will not receive another associate for this year. Ms. Nesbit advised she is exploring alternatives, such as trying to obtain interns from the University of Cincinnati.

ADJOURNMENT:

Dr. Khan made a motion to adjourn the meeting at time 8:00 p.m. Mr. Brown seconded the motion. The vote was all ayes; motion carried.



SECRETARY



RESPECTFULLY SUBMITTED

