



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 January 11, 2023. 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
Andrew Crum, absent
Steve Meadors, present

Dr. Joseph Khan, present
Dennis Brown, present

Others present included Dr. James Kaya, Medical Director; Julianne Nesbit, Health Commissioner; Tim Kelly, Assistant Health Commissioner of Environmental Health Services; Maalinii Vijayan, Assistant Health Commissioner of Community Health Services; Tara Jimison, Director of Nursing; Brian Williamson, Director of Environmental Health; Robert Wildey, Director of Water and Waste; 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 December 14, 2022**- Recommendation to approve the minutes from the December 14, 2022, Board of Health Meeting.
2. **Variiances Black Water Holding Tank Extension Requests** - Recommendation to approve extending the variiances for black water holding tanks for an additional month.
 - a. CCET, LLC- 880 Roundbottom Road, Union Township (44-V-21)
 - b. Perry- 2702 Indian Summer Drive, Tate Township (18-V-22)
 - c. Downey – 5404 St. Rt. 133 (27-V-22)

Mr. Brown made a motion to approve consent agenda items #1 and #2. Dr. Khan seconded the motion. The vote was all ayes, motion carried.

NON-CONSENT AGENDA:

VariANCES:

Low-Pressure Distribution (Number of Lateral Void Volumes Per Dose) at 1908 US 52, Washington Township (46-V-22) – Ms. Nesbit stated the owners, Nick and Mallory Decker, are requesting a variance for less than five times void volume at 1908 US 52, Washington Township (46-V-22). The proposed new three-bedroom home is situated on a steep slope. The soil report indicates the flow restrictive layer is at 20 inches. Due to the steepness of the slope where soil absorption has been selected by the septic system designer, a lesser void volume has been requested. The design rationale is by having a lower volume of pretreated effluent applied to the soil, the potential for any effluent to flow out of the lower edge of the mound will be eliminated. The ODH rule states in part,

"except when the flow restrictive layer is present within twelve inches of the natural ground surface, each dose shall deliver to the distribution area no greater than one-fourth of the daily design flow and at least five times the void volume of the laterals during each twenty-four hour period." Staff recommended approval due to the soil absorption area selected by the designer being the best option for soil absorption on the site.

The homeowners were not present.

Dr. Khan made a motion to approve the request to grant a variance for less than five times void volume at 1908 US 52, Washington Township (46-V-22). Mr. Brown seconded the motion. The vote was all ayes, motion carried. (Attachment #2)

Isolation Distance at 5200 Dry Run Rd., Miami Township (1-V-23) – Ms. Nesbit stated the owners, Eric and Joanna Kreyling, are requesting a horizontal isolation distance at 5200 Dry Run Rd., Miami Township (1-V-23). A private septic system designer completed design work on this proposed four-bedroom replacement system. The owner initiated the replacement design in order to expand the home and increase the bedroom count. The edge of one mound will be approximately 28 feet from a stream-cut bank. The discharge point for the gradient drain will be less than ten feet from the property line. The ODH rule states in part, "A STS shall maintain the following minimum horizontal isolation distances: (a) All components of a STS shall be at least ten feet from any . . . property line or right-of-way boundary; (b) A STS soil absorption component shall be at least fifty feet from any . . . road cut-banks or stream cut-banks." Staff recommended approval due to the soil absorption area selected by the designer being the best option for soil absorption on the site.

The homeowners were not present.

Mr. Brown made a motion to approve the request to grant a horizontal isolation distance variance at 5200 Dry Run Rd., Miami Township (1-V-23). Dr. Khan seconded the motion. The vote was all ayes, motion carried. (Attachment #3)

New Black Water Holding Tank at 2070 Erion Rd., Batavia Township (2-V-23) – Ms. Nesbit stated the property owner, Jeff Huber, is requesting a variance to install a black water holding tank at 2070 Erion Rd., Batavia Township (2-V-23). Ms. Nesbit informed the Board all of the paperwork had been received.

The owner, Mr. Huber, was present. Mr. Huber indicated the tank has not been set and understands once it has been set, it will need to pass a water-tight test before he can take occupancy of the home. He also acknowledged receiving all of the paperwork for providing monthly pump tickets once the tank is operational.

Mr. Brown made a motion to approve the variance request to install a black water holding tank at 2070 Erion Rd., Batavia Township (2-V-23). Mr. Meadors seconded the motion. The vote was all ayes, motion carried. (Attachment #4)

PUBLIC COMMENT:

No members of the public were present to offer comments.

Approval of Sick Leave Utilization Reward Program – Ms. Nesbit reminded the Board the sick leave utilization reward program for 2022 was approved last January. She noted the agency had been lenient and allowed staff to work from home during quarantine periods in 2020, which resulted in a

substantial decrease in sick leave used in 2020 compared to previous years. Staff was still encouraged to stay home if ill; however, the average sick leave time used continued to increase for 2022 to pre-pandemic rates.

The agency had an increase in the average sick leave used per full-time equivalent from 52.03 hours in 2021 to 69.69 hours in 2022, which included one maternity leave and an extended medical leave. Seventeen staff members were eligible to convert sick leave hours to personal leave, and fourteen were eligible for the annual sick leave reward. These numbers represent 35% of the forty eligible staff. Five staff used zero hours of sick leave in 2022.

Ms. Nesbit requested the Board increase the recently approved amounts noting the payout for 2022 will still be lower than 2021 and breaks down as follows:

16 hours or less-\$800: Tyler Braasch, Caroline Brown, Douglas Disbennett, John Mentzel, Paul Sanders, Katrina Stapleton, Mary Ann Swing, and Kimberly Williams

Prorated 9.6 hours or less-\$480: Betsy Taylor

40 hours or less-\$300: Cheryl Adams, Orion Holden, Tom Racke, Shelby Simmons, and Lisa Streuer

The current payout totals \$8,380.00, which would be paid to employees for good attendance.

Ms. Nesbit reminded the Board the sick leave reward program is approved on a year-to-year basis and also requested the Board approve the continuation of the sick leave reward program for 2023.

Mr. Brown made a motion to approve increasing the recently approved payout amounts and continuation of the Sick Leave Utilization Reward Program for 2023. The motion was seconded by Dr. Khan. The vote was all ayes; motion carried. (Attachment #5)

Approval of Revisions to Personnel Policy Section 05.13 Parental Leave – Ms. Nesbit noted the Board had previously approved the Personnel Policy containing Section 05.13 Parental Leave at the December 14, 2022 Board of Health meeting. However, upon further review, Section 05.13 required amendments regarding the timeframe to use parental leave, Family Medical Leave (FMLA) parameters, and notification procedures.

Dr. Khan made a motion to approve the revisions to Personnel Policy Section 05.13 Parental leave. The motion was seconded by Mr. Meadors. The vote was all ayes; motion carried. (Attachment #6)

Approval of Revisions to Personnel Policy Section 05.01 Insurance, Retirement, Work-Related Injury/Illness - Ms. Nesbit noted the Board had previously approved the Personnel Policy containing Section 05.01 Insurance, Retirement, Work-Related Injury/Illness at the December 14, 2022 Board of Health meeting. However, upon further review, it was discovered Section 05.01 conflicted with the policy set by the Clermont County Board of County Commissioners as it pertained to Health and Long-Term Disability Insurance. Section 05.01 did not reflect enrollment eligibility for new employees set by the Clermont County Board of County Commissioners Section 125 Premium Conversion and Flexible Benefits Plan as it pertained to Life Insurance and thus required revisions.

Dr. Khan made a motion to approve the revisions to Personnel Policy Section 05.01 Insurance, Retirement, Work-Related Injury/Illness. The motion was seconded by Mr. Brown. The vote was all ayes; motion carried. (Attachment #7)

Third 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 held the third 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. She advised the resolution has been posted to the Clermont County Public Health website, and there have been no comments to date.

Adoption of Resolution 01-23 Establishing Vital Statistics Fees For Birth And Death Records Pursuant To Ohio Revised Code Sections 3709.09 and 3709.21 - Ms. Nesbit requested the Board adopt Resolution 01-23 establishing Vital Statistics Fees For Birth And Death Records Pursuant To Ohio Revised Code Sections 3709.09 and 3709.21.

Mr. Brown made a motion to adopt Resolution 01-23 establishing Vital Statistics Fees For Birth And Death Records Pursuant To Ohio Revised Code Sections 3709.09 and 3709.21. Dr. Khan seconded the motion. The vote upon roll was Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Dr. Rickabaugh, aye; motion carried. (Attachment #8)

Approval of Capital Purchase for Furniture for the Community Health Services Branch - Ms. Nesbit presented the Board with proposals from Office Furniture Source for furniture for the Community Health Services Branch and office space at Permit Central for the Emergency Response Coordinator.

The Community Health Services Branch furniture includes desks, chairs, and various small pieces for the Assistant Health Commissioner's newly renovated office space and a remote workspace for interns, CDC associates, and others as necessary. A replacement for a broken desk, multiple storage units, and mobile carts will also be included. Storage space has been an ongoing issue for the office, and these items will be used to add storage in the new conference room, the vaccine room, and other available areas. The proposal for this portion of the project is \$38,704.41.

The furniture at Permit Central will allow the area assigned to the Emergency Response Coordinator to be utilized more effectively. The current desk being used by the Emergency Response Coordinator will be recycled for the clinic room expansion at the Community Health Services Branch. The proposal for Permit Central is \$4,761.78.

Ms. Nesbit requested the Board approve this furniture capital purchase and add a buffer for missing parts and unforeseen expenses for a total not to exceed \$47,000.00. She indicated a portion of the funding may come from grant money, such as the Public Health Emergency Preparedness Grant.

Dr. Khan inquired if Ms. Nesbit anticipated eventually outgrowing the current space. Ms. Nesbit indicated space for the agency is adequate for now, but she does anticipate outgrowing the existing space. She further explained Public Health is not the only agency with space problems due to the county's growth. There have been discussions within the county regarding potential options to alleviate the issues, but everything depends on the Clermont County Board of Commissioners' capital budget.

Mr. Brown made a motion to approve the capital purchase not exceeding \$47,000.00 for furniture at the Community Health Services Branch and Permit Central. Dr. Khan seconded the motion. The vote was all ayes; motion carried. (Attachment #9)

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

EXECUTIVE SESSION

Pursuant to Section 121.22 (G)(3) of the Ohio Revised Code to Confer With The Board's Legal Counsel Concerning Disputes Involving The Board That Are Subject of Pending or Imminent Court Action - At 6:56 p.m., Mr. Brown made a motion to enter into executive session pursuant to Section 121.22 (G)(3) of the Ohio Revised Code to confer with the Board's legal counsel concerning disputes involving the Board that are subject of pending or imminent court action. Dr. Khan seconded the motion. The vote upon roll was Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Dr. Rickabaugh, aye; motion carried.

At 7:16 p.m., the Board returned from executive session and resumed regular session after having conferred with the Board's legal counsel concerning disputes involving the Board that are the subject of pending or imminent court action, with no action taken and no decisions made.

Addition of One Additional Item to the Agenda of the Regular Session of January 11, 2023 to Consider a Motion to Authorize the Board's Legal Counsel to file a Notice of Stipulation and Dismissal in Clermont County Court of Common Pleas Case No. 2022 CVH 00147- Dr. Khan made a motion to add one additional item to the agenda of the regular session of January 11, 2023 to consider a Motion to authorize the Board's legal counsel to file a Notice of Stipulation and Dismissal in Clermont County Court of Common Pleas Case No. 2022 CVH 00147. Mr. Brown seconded the motion. The vote upon roll was Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Dr. Rickabaugh, aye; motion carried.

Approval to Authorize the Board's Legal Counsel to Dismiss the Complaint Filed on Behalf of the Board in Clermont County Court of Common Pleas Case No. 2022 CVH 00147 Without Prejudice - Mr. Brown made a motion to authorize the Board's legal counsel to dismiss the complaint filed on behalf of the Board in Clermont County Court of Common Pleas Case No. 2022 CVH 00147 Without Prejudice. Dr. Khan seconded the motion. The vote upon roll was Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Dr. Rickabaugh, aye; motion carried.

Discussion Items

- 1) **Personnel Policy Section 04.06 Reimbursement of Expenses** - Ms. Nesbit noted the Board had previously approved the Personnel Policy containing Section 04.06 Reimbursement of Expenses at the December 14, 2022 Board of Health meeting. However, the changes to the policy were not included in the Summary presented to the Board at the meeting. The changes from this section included more specificity regarding per diem expenses for varying locations. (Attachment #11)
- 2) **Quality Improvement Project Updates** - Mr. Nesbit updated the Board regarding two ongoing Quality Improvement (QI) Projects: The STI (Sexually Transmitted Infections) QI Project and the Youth Tobacco Cessation QI Project.

The STI QI Project is a multi-phase project aiming to increase mitigation strategies to address the increasing STI cases in Clermont County. The first phase involves increasing

testing services. The next phase is to look at access to services and programs within the county. (Attachment #12)

Dr. Khan inquired as to which specific diseases were being investigated. Ms. Jimison stated before the pandemic, the most common diseases included Chlamydia and Gonorrhea, but current data is being reviewed.

Ms. Nesbit informed the Board Clermont County currently has no STI services, and infected people are reluctant to seek treatment from their family physician. Other potential treatment centers have policies which prevent certain people from obtaining services.

Mr. Brown inquired if Clermont County Public Health receives calls seeking services. Ms. Jimison stated people with positive test results had contacted the agency in the past. Ms. Nesbit added the agency has limited options for referrals within the county when calls are received.

The Youth Tobacco Cessation QI Project aims to expand the CCPH Tobacco Cessation Program to include targeted cessation programming for Clermont County youth by providing youth-centered tobacco cessation programming resources. (Attachment #13)

Ms. Jimison indicated the use of electronic nicotine delivery devices has increased among youth. This QI project will collaborate with community partners, such as schools and youth-based organizations, in a phased approach, with the first step being saturating the population with resources. The second step involves focus groups to determine the best approach for counseling, such as one-on-one or peer-led.

Ms. Nesbit advised the Operation Permit QI Project is going well. The project is currently addressing vacant properties and keeping unpaid fees with properties instead of waiving fees because of ownership changes. Another issue involves changing the current inspection cycle. Ms. Nesbit explained these inspections are no longer sustainable with current staffing levels due to the county's growth.

- 3) **Health Commissioner's Performance Evaluation** – Ms. Nesbit asked the Board if they needed any additional information other than what they previously reviewed in past years for her upcoming performance evaluation. The Board stated they did not need anything different than what they previously reviewed in her prior evaluations.
- 4) **Board of Health Meeting Dates and Times** – Ms. Nesbit indicated one of the current Board members had shown an interest in potentially moving the time and/or day of the regularly scheduled Board of Health meetings due to schedule conflicts. The Board was asked to consider this issue, and a vote will be held at the February 8, 2023 meeting.

ADDITIONAL INFORMATION:

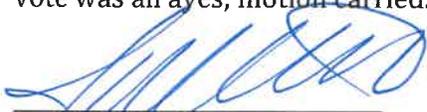
- 1) **Ohio WIC Management Evaluation Federal Fiscal Year 2023** - Ms. Nesbit stated the Ohio WIC Management Evaluation went very well, and the overall result of the review was positive, with only one corrective action and one recommendation. The WIC Director, Katherine Schneider, has already incorporated the recommended changes and will soon submit a plan of action to the Ohio Department of Health. Ms. Nesbit thanked

the WIC staff for their hard work and dedication to providing the best services to the community. (Attachment #14)

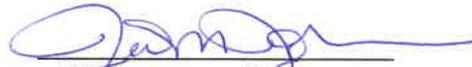
- 2) **National Association of City and County Health Officials (NACCHO's) Adaptive Leadership Academy 2023** – Ms. Nesbit applied to and was accepted to attend the National Association of City and County Health Official's (NACCHO's) Adaptive Leadership Academy 2023. This program accepts 20 applicants across the country and territories and involves weekly meetings with follow-up reading and activities. The program finishes at the NACCHO 360 Conference in Denver in July, where the cohort will present their culminating projects the day before the start of the conference. The program will pay travel costs for the Academy portion at the conference. The agency is asked to pick up the conference cost.

ADJOURNMENT:

Mr. Brown made a motion to adjourn the meeting at 8:05 p.m. Dr. Khan seconded the motion. The vote was all ayes; motion carried.



SECRETARY



RESPECTFULLY SUBMITTED

