



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 February 14, 2024. President Dr. Janet Rickabaugh called the meeting to order at 3:30 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, arrived late
 Andrew Crum, present Dennis Brown, present
 Steve Meadors, 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; Robert Wildey, Director of Water and Waste; Brian Williamson, Director of Environmental Health; Tom Racke, Director of Plumbing; Katrina Stapleton, Fiscal Officer; Jessica Johnson, Administrative Assistant; Carly Lansley, Epidemiologist; Emily Roberts, CDC Associate; Claire Kinner, Office Specialist; 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 January 10, 2024** - Recommendation to approve the minutes from the January 10, 2024 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 that 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
 - a. Beverly Rose - 2201 Lindale Nicholasville Rd., Amelia, OH 45102 (Attachment #2)
3. **Approval to Apply for the OEPA Mosquito Control Grant FY24** - Recommendation to apply for the OEPA Mosquito Control Grant FY24.
4. **Approval to Appoint Patricia Perry as a Public Health Nurse 1 with the WIC Program in the Community Health Services Branch** - Recommendation to appoint Patricia Perry as a Public Health Nurse 1 with the WIC Program in the Community Health Services Branch contingent upon meeting all pre-employment requirements at the salary indicated on the attached salary sheet. (Attachment #3)
5. **Approval to Appoint Andrew Jansen as a Plumbing Inspector 1 in the Plumbing Division** - Recommendation to appoint Andrew Jansen as a Plumbing Inspector 1 in the Plumbing Division contingent upon meeting all pre-employment requirements at the salary indicated on the attached salary sheet. (Attachment #4)

6. **Approval to Appoint Linda Fultz as an Administrative Assistant III in the Community Health Services Branch** – Recommendation to appoint Linda Fultz as an Administrative Assistant III in the Community Health Services Branch contingent upon meeting all pre-employment requirements at the salary indicated on the attached salary sheet. (Attachment #5)
7. **Approval to Appoint Megan West as a Registered Environmental Health Specialist-in-Training in the Environmental Health and Water and Waste Divisions** – Recommendation to appoint Megan West as a Registered Environmental Health Specialist-in-Training in the Environmental Health and Water and Waste Divisions contingent upon meeting all pre-employment requirements at the salary indicated on the attached salary sheet. (Attachment #6)
8. **Accept Retirement of Susan Reutman, RN, Public Health Nurse I** - Recommendation to accept the retirement notification of Susan Reutman, RN, Public Health Nurse 1, with the WIC Program in the Community Health Services Branch, effective March 16, 2024.

Mr. Brown made a motion to approve consent agenda items #1 through #8. Mr. Meadors seconded the motion. The vote was as follows: Mr. Brown, aye; Dr. Khan, absent; Mr. Meadors, aye; Mr. Crum, aye; Dr. Rickabaugh, aye; motion carried.

NON-CONSENT AGENDA:

Variances:

Connect a New Home to an Existing Household Sewage Treatment System at 3301 St. Rt. 133, Williamsburg Township (5-V-24) – Ms. Nesbit stated the property owner, Joe Arnett, is requesting a variance to connect a new home to an existing household sewage treatment system at 3301 St. Rt. 133, Williamsburg Township (5-V-24). Ms. Nesbit stated the septic system is a Millennium Mound type system. The system is a replacement system installed in 2011 and passed inspection in December 2016. The house/property has been vacant since March 2018. The owner wants to connect a new three-bedroom home to the existing Millennium Mound. Staff recommended approval and stated that an alteration permit would be required, and a system startup would be required as part of the permit.

Mr. Arnett was present at the meeting and had no comments for the Board.

Mr. Brown made a motion to approve the variance request to connect a new home to an existing household sewage treatment system at 3301 St. Rt. 133, Williamsburg Township (5-V-24), contingent upon an alteration permit being obtained, and a system startup will be required before occupancy. Mr. Meadors seconded the motion. The vote was as follows: Mr. Brown, aye; Dr. Khan, absent; Mr. Meadors, aye; Mr. Crum, aye; Dr. Rickabaugh, aye; motion carried. (Attachment #7)

Isolation Distance at 3277 N. Campbell Rd., Tate Township (6-V-24) – Ms. Nesbit stated the property owners, Donald and Marlene Jewell, are requesting an isolation distance variance at 3277 N. Campbell Rd., Tate Township (6-V-24). Ms. Nesbit indicated the proposed garage add-on will be five feet one inch from the gradient drain. Staff recommended approval.

The contractor, Ivan Mansell, was present. He stated the plan was to add a 30x40 foot L-shaped pole barn onto the garage, which will be used for a wood shop.

Mr. Meadors asked if vehicular traffic would be in the proposed area. Mr. Mansell stated there is a driveway for any vehicles, and only a lawnmower would be driven in the area.

Mr. Crum made a motion to approve the isolation distance variance request at 3277 N. Campbell Rd., Tate Township (6-V-24). Mr. Brown seconded the motion. The vote was as follows: Mr. Brown, aye; Dr. Khan, absent; Mr. Meadors, aye; Mr. Crum, aye; Dr. Rickabaugh, aye; motion carried. (Attachment #8)

Dr. Khan arrived to join the meeting at 3:45 p.m.

Isolation Distance at 6602 Branch Hill Guinea Rd., Miami Township (8-V-24) – Mr. Nesbit stated the property owner, Christopher Robb, is requesting an isolation distance variance at 6602 Branch Hill Guinea Rd., Miami Township (8-V-24). Ms. Nesbit indicated the proposed pole barn would be five feet eight inches from the closest leach line. Staff recommended approval.

The homeowner, Christopher Robb, was present and, when asked about the location of the entrance to the pole barn, indicated it would be directly behind the existing garage.

Mr. Crum made a motion to approve the isolation distance variance request at 6602 Branch Hill Guinea Rd., Miami Township (8-V-24). Mr. Brown Seconded the motion. The vote was all ayes; motion carried. (Attachment #9).

Black Water Holding Tank at 4135 Clough Lane, Union Township (7-V-24) - Ms. Nesbit stated the property owner, Thanh Ha, is requesting a variance to install a black water holding tank at 4135 Clough Lane, Union Township (7-V-24). Ms. Nesbit informed the Board all required paperwork had been received and the tanks had not yet been installed. Staff recommended approval contingent on the tanks being installed and passing a water-tight test.

The homeowner was present and indicated he was aware of the Board of Health requirements for black water holding tanks and submitting monthly pump tickets when necessary.

Mr. Brown made a motion to approve the variance request to install a black water holding tank at 4135 Clough Lane, Union Township (7-V-24). Mr. Crum seconded the motion. The vote was all ayes, motion carried. (Attachment #10)

PUBLIC COMMENT:

No members of the public offered any comments at this point in the meeting.

Adoption of Resolution 01-24 Approving the Southwest Ohio Public Health Region (SWOPHR) Mutual Aid Agreement (MAA) – Ms. Nesbit explained an update was needed to the mutual aid agreement with the Southwest Ohio Public Health Region. The agreement allows public health agencies to share staffing and resources in an emergency or for training and exercise purposes. The resolution allows the Health Commissioner to sign and enter into the agreement.

Dr. Khan made a motion to adopt Resolution 01-24 Approving the Southwest Ohio Public Health Region (SWOPHR) Mutual Aid Agreement (MAA). Mr. Meadors seconded the motion. The vote upon roll call was as follows: Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Mr. Crum, aye; Dr. Rickabaugh, aye; motion carried. (Attachment #11)

Adoption of Resolution 02-24 Authorizing The Clermont County General Health District To Accept And Enter Into A Water Pollution Control Loan Fund Agreement For The Repair And Replacement of Home Sewage Treatment Systems – Ms. Nesbit stated by entering into an

agreement for the Water Pollution Control Loan Fund for the Repair and Replacement of Home Sewage Treatment Systems, Clermont County Public Health will receive \$150,000 in funding through the Ohio Environmental Protection Agency for the Septic Rehab Program which provides money to low-income homeowners to repair or replace failing septic systems.

Mr. Brown made a motion to adopt Resolution 02-24 Authorizing The Clermont County General Health District To Accept And Enter Into A Water Pollution Control Loan Fund Agreement For The Repair And Replacement of Home Sewage Treatment Systems. Mr. Crum seconded the motion. The vote upon roll call was as follows: Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Mr. Crum, aye; Dr. Rickabaugh, aye; motion carried. (Attachment #12)

Approval to Apply for Ohio AAP's Put a Lid on It! Bike Helmet Safety Program, Interact for Health Sponsorship, and/or Purchase Bike Helmets – Ms. Nesbit explained two opportunities to apply for bike helmets to give away free to children. One program is through the Ohio American Academy of Pediatrics (AAP) Put a Lid on It! Bike Helmet Safety Program and the other is through Interact for Health. Ms. Nesbit requested approval to apply for both programs and/or purchase bike helmets if funding is not received.

Assistant Health Commissioner Maalini Vijayan stated the agency has previously distributed approximately 300 helmets.

Dr. Khan made a motion to approve applying for Ohio AAP's Put a Lid on It! Bike Helmet Safety Program and Interact for Health Sponsorship and to purchase bike helmets if the necessary funding is not received. Mr. Brown seconded the motion. The vote was all ayes; motion carried.

Approval to Overlap the Water Quality Technician Position - Ms. Nesbit informed the Board that Charlie Benjamin, Water Quality Technician, plans to retire in approximately June of this year. She would like to post a job opening for his position to have someone hired for training purposes before Mr. Benjamin retires. This will require overlapping the Water Quality Technician position for a short time.

Mr. Brown made a motion to approve overlapping the Water Quality Technician position. Dr. Khan seconded the motion. The vote was all ayes; motion carried.

Approval to Purchase a Retirement Gift and Cake for Charlie Benjamin - Ms. Nesbit asked the Board to approve spending up to \$250 for a cake, paper products, and a gift from the Health District for Charlie Benjamin's upcoming retirement.

Mr. Crum made a motion to approve purchasing a retirement gift and cake for Charlie Benjamin. Dr. Khan seconded the motion. The vote was all ayes; motion carried.

Approval for Tom Racke to Exceed 200-Hour Vacation Limit – Ms. Nesbit explained due to turnover in the Plumbing Division, Tom Racke's vacation hours exceed the 200-hour maximum limit outlined in the Personnel Policy. She stated the Board has allowed staff to exceed this number for a period of time in the past as long as the circumstances are related to staffing shortages or public health emergencies. Ms. Nesbit asked the Board for approval to allow Mr. Racke to exceed the 200-hour vacation limit through December 31, 2024. She stated that, with the Board's approval, a new plumbing inspector would be starting soon, which should alleviate the staffing problems and allow Mr. Racke to get his hours under the maximum by the end of the year.

Mr. Crum made a motion to approve Tom Racke to exceed the 200-hour vacation limit outlined in the Personnel Policy. Dr. Khan seconded the motion. The vote was all ayes; motion carried.

Approval of Update to Personnel Policy Section 05.11 Tuition Reimbursement – Ms. Nesbit requested approval of the Board to update the Tuition Reimbursement Policy in the Personnel Policy Manual to allow part-time staff to take advantage of the program. The change was previously discussed in the Leadership Meeting, and the Leadership Team was in favor of the change. The "forgiven" formula was changed to an hourly rate versus the current quarterly rate to make the payout time equitable between part-time and full-time staff. The updated change would take effect immediately.

Mr. Brown made a motion to approve the update to Personnel Policy Section 05.11 Tuition Reimbursement. Mr. Crum seconded the motion. The vote was all ayes; motion carried. (Attachment #13)

Proposed Action to Suspend or Revoke the Retail Food Establishment License of Circle K #4705228, MAC'S Convenience Stores LLC, 1600 State Route 28, Loveland, OH 45140, for Noncompliance of the Ohio Uniform Food Safety Code 3717-1 – Ms. Nesbit stated Circle K #4705228, MAC'S Convenience Stores LLC, 1600 State Route 28, Loveland, Ohio has demonstrated a continued failure to maintain the establishment in significant compliance with Ohio Revised Code (ORC) 3717 and Ohio Uniform Safety Code 3707-1. She asked the Board to consider an action to suspend or revoke the facility's Retail Food Establishment license.

Brian Williamson, Director of Environmental Health, presented the Board with an inspection chronology of the facility outlining recent violations, including pest control issues. He indicated a Corrective Action Plan was created, and management did attend an Administrative Meeting.

Upon reviewing the chronology, Mr. Crum wanted to clarify that rodent droppings had been found in the facility's last seven inspections. Mr. Williamson stated the droppings were present in the previous seven inspections, mainly confined to the back storage area on the racks; however, recently, droppings were found under the beverage area. He indicated Registered Environmental Health Specialist Shelby Simmons repeatedly found new droppings in each inspection and observed gnawing on storage containers.

Mr. Crum asked if the facility kept their supplies on the storage area's floor. Mr. Williamson stated the supplies had been moved up onto racks, and the storage containers had been changed, but the problems still existed.

When asked about using a pest control company, Mr. Williamson stated an established pest control company was being used, and the company reports indicate no pest activity findings. Mr. Williamson noted the use of additional bait stations.

Options were discussed regarding the ramifications of suspending or revoking the license immediately or issuing a notice giving the establishment 15 days to bring the facility into compliance.

Mr. Crum made a motion to send a notice via certified and regular U.S. Mail to Circle K #4705228, MAC'S Convenience Stores LLC, giving 15 days for the establishment to be brought into compliance or appealing the proposed revocation of the license. Mr. Meadors seconded the motion. The vote was all ayes; motion carried. (Attachments #14 and 15).

Adoption of Resolution 03-24 Declaring Properties Public Health Nuisances – Ms. Nesbit presented the address of twelve properties to be considered public health nuisances as stated on Attachments A and B of Resolution 03-24 Declaring Public Health Nuisances and Ordering Abatement of Nuisances at Identified Properties.

Following a review and discussion, Dr. Khan made a motion to waive the three required readings of Resolution 03-24 to declare the properties listed on Attachments A and B public health nuisances. Mr. Meadors seconded the motion. The vote upon roll call was as follows: Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Mr. Crum, aye; Dr. Rickabaugh, aye; motion carried. Dr. Khan then made a motion to declare Resolution 03-24 an emergency measure necessary for the immediate preservation of the public peace, health, or safety and for the purpose of the immediate need to abate or remove the dangerous public health nuisances. Mr. Crum seconded the motion. The vote upon roll call was as follows: Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Mr. Crum, aye; Dr. Rickabaugh, aye; motion carried. Dr. Khan then made a motion to adopt Resolution 03-24 declaring the properties listed on Attachments A and B to be public health nuisances and ordering abatement of nuisances at the identified properties. 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 upon roll was Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Mr. Crum, aye; Dr. Rickabaugh, aye; motion carried. (Attachment #16)

Approval of 2025 Budget- Ms. Nesbit stated Fiscal Officer Katrina Stapleton completed the proposed 2025 budget and requested approval from the Board. She indicated the estimates were conservative, and the resources were flat-lined based on the 2023 receipts. She anticipates COVID funding to cease on July 31, 2024, and hopes to see plumbing and sewage permit fees rebound with the revised schedules. Flat funding is proposed in five of the fourteen funds, with decreased funding in four others and increased funding in five.

Ms. Stapleton presented an overview of the proposed budget. She stated the agency was requesting a little less than a 0.5% decrease from what was appropriated for 2024, and the proposed budget included a current 2% raise pool and a 5% healthcare increase. She also indicated a \$10,000 increase in the annual request from Townships and Villages, which has decreased and/or flat-lined over the past seven years.

Mr. Crum asked what the proposed 5% healthcare increase was based on. Ms. Nesbit stated this was a ballpark figure based on a blend of the prior years. She further said there has been no increase in employee healthcare premiums for the past five years, as the agency has absorbed the increases.

Mr. Crum asked if this budget could change by November. Ms. Nesbit stated this was a proposed budget and could change by November when the agency sets the appropriations budget for the next year.

Mr. Crum made a motion to approve the 2025 budget. Dr. Khan seconded the motion. The vote was all ayes, motion carried. (Attachment #17)

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. Crum seconded the motion. The vote was all ayes, motion carried. (Attachment #18)

Southwest Ohio Air Quality Report 2023 – The 2023 Southwest Ohio Air Quality Report was presented to the Board, which showed a few violations for Clermont County consisting of open burning cases. (Attachment #19)

Children with Medical Handicaps Program Annual Chart Review Site Visit Report 2023 – The 2023 Site Visit Report for the Children with Medical Handicaps Program was provided to the Board for review. Ms. Nesbit indicated the program was short-staffed for 2023 and commended all staff who stepped in to maintain the program during the shortage. (Attachment #20)

Health District's 2023 Annual Report – The Board was presented with the Health District's 2023 Annual Report, created by Communications Coordinator Keith Robinson. The Board commended Mr. Robinson for his work on the Report. (Attachment #21)

Fleet Discussion – An open discussion was held surrounding the agency's current fleet and the termination of the leases with Enterprise per the opinion of the Clermont County Prosecutor. Assistant Health Commissioner Tim Kelly provided handouts to the Board detailing the individual values of the current fleet vehicles and buyout values as of the meeting date. The Board will consider several options, including when to initiate the buyouts, how many and which vehicles to buy out at a time, and if, when, and how to re-sell those vehicles. Mr. Kelly will present additional information to the Board regarding the current resale values of the vehicles. (Attachments #22 and #23)

PHAB Reaccreditation Site Visit – The Board was advised that the Public Health Accreditation Board virtual site visit is scheduled for March 18, 2024.

Communicable Disease Update – Epidemiologist Carly Lansley updated the Board regarding communicable diseases of concern and trends.

Grand Opening of St. Vincent de Paul Charitable Pharmacy – Milford – Ms. Nesbit stated Assistant Health Commissioner Maalinii Vijayan will attend the grand opening of the St. Vincent de Paul Charitable Pharmacy in Milford, Ohio, scheduled for March 27, 2024, at 12:00 p.m. (Attachment #24)

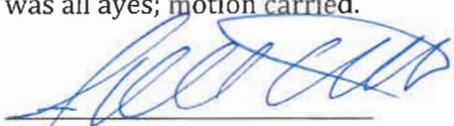
EXECUTIVE SESSION

Pursuant to Section 121.22 (G)(1) of the Ohio Revised Code to discuss contract negotiations for compensation of the health commissioner - At 4:58 p.m., Dr. Khan made a motion to enter into executive session pursuant to Section 121.22 (G)(1) of the Ohio Revised Code to discuss contract negotiations for compensation of the health commissioner. Mr. Crum seconded the motion. The vote upon roll was Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Mr. Crum, aye; Dr. Rickabaugh, aye; motion carried.

At 5:50 p.m., the Board returned from executive session and resumed regular session after discussing contract negotiations for compensation of the health commissioner, with no action taken and no decisions made.

ADJOURNMENT:

Dr. Khan made a motion to adjourn the meeting at 5:55 p.m. Mr. Crum seconded the motion. The vote was all ayes; motion carried.


SECRETARY


RESPECTFULLY SUBMITTED