



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 March 13, 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, present
Andrew Crum, arrived late 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; Maalini 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; Tara Jimison, Director of Nursing; Jessica Johnson, Administrative Assistant; Joy Giel, 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 February 14, 2024** - Recommendation to approve the minutes from the February 14, 2024 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. Ha - 4135 Clough Lane, Union Township (7-V-24)
- 3. Approval of the Health Commissioner's Contract**- Recommendation to approve the Health Commissioner's contract. (Attachment #2)
- 4. Approval of Subrecipient Agreement Clermont County Health District Newtonsville Sewer Connection Program** - Recommendation to approve Subrecipient Agreement Clermont County Health District Newtonsville Sewer Connection Program. (Attachment #3)
- 5. Approval to Appoint Ella Anderson as an Intern in the Water and Waste Division** – Recommendation to appoint Ella Anderson as an Intern in the Water and Waste Division contingent upon meeting all pre-employment requirements at the salary indicated on the attached salary sheet. (Attachment #4)
- 6. Approval to Appoint Mia Kraemer as an Intern in the Administration Division** – Recommendation to appoint Mia Kraemer as an Intern in the Administration Division contingent upon meeting all pre-employment requirements at the salary indicated on the attached salary sheet. (Attachment #5)
- 7. Approval to Appoint Kristi Rank as a Dietitian 1/WIC Health Professional with the WIC Program in the Community Health Services Branch** – Recommendation to appoint Kristi Rank as a Dietitian 1/WIC Health Professional 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 #6)

Mr. Brown made a motion to approve consent agenda items #1 through #7. Dr. Khan seconded the motion. The vote was as follows: Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Mr. Crum, absent; Dr. Rickabaugh, aye; motion carried.

NON-CONSENT AGENDA:

Variances:

Connect a New Home to an Existing Household Sewage Treatment System at 6442 Long Glady Rd., Wayne Township (9-V-24) – Ms. Nesbit stated the property owner, Shirley Messer, is requesting a variance to connect a new home to an existing household sewage treatment system at 6442 Long Glady Rd., Wayne Township (9-V-24). Ms. Nesbit stated the septic system consists of a septic tank to leach lines with a gradient drain. The tank size is unknown, and approximately 1200 linear feet of gravel-less leach lines were found. The system failed an inspection in May 2019 for sewage seeping to the surface. A sand and soil cap was completed and the system passed inspections in July 2019 and August 2022. The owner wants to connect a new three-bedroom home to the existing system. The new home will be on the same footprint as the existing home. Staff recommended approval.

Ms. Messer was present at the meeting and stated she has had no problems with the system outside of those noted above. She stated her original home was a 1966 model, and the new home will be a 2024 model.

Mr. Meadors asked how many people would be living in the home. Ms. Messer stated two people would be living in the home.

Mr. Brown made a motion to approve the variance request to connect a new home to an existing household sewage treatment system at 6442 Long Glady Rd., Wayne Township (9-V-24). Dr. Khan seconded the motion. The vote was as follows: Mr. Brown, aye; Dr. Khan, aye; Mr. Meadors, aye; Mr. Crum, absent; Dr. Rickabaugh, aye; motion carried. (Attachment #7)

Mr. Crum arrived to join the meeting at 3:36 p.m.

Connect a New Home to an Existing Household Sewage Treatment System at 3656 Blue Sky Park Rd., Jackson Township (10-V-24) – Ms. Nesbit stated the property owners, Tracy and Holly McLane, are requesting a variance to connect a new home to an existing household sewage treatment system at 3656 Blue Sky Park Rd., Jackson Township (10-V-24). Ms. Nesbit stated the septic system consists of a septic tank followed by a distribution box and 475 linear feet of leach lines. The system passed an inspection performed for a proposed garage building in 1994 but failed a routine operation permit inspection in May 2005 for a sewage discharge pipe. The system then passed inspection in June 2005. The property was vacant in May 2008 and has remained vacant since that time. The owner wants to connect a new three-bedroom home to the existing system. Staff recommended disapproval due to the system being older and undersized.

The homeowners were present at the meeting. Ms. McLane explained that two of the three bedrooms would be used for offices. She also indicated Dutch Builders hired SOS to inspect the septic system, and they stated the system was in great condition but recommended replacing the distribution box,

which was done. She also stated they were setting aside funds for any potential future issues with the septic system.

Ms. Nesbit stated CCPH records indicate an alteration permit was not issued for the distribution box.

Dr. Rickabaugh asked what type of home was being built. Mr. McLane stated the home was a stick build.

Mr. Meadors asked about the size of the lot. Mr. McLane stated the lot contained six acres and was located away from the flood zone.

Mr. Brown asked about the length of the leach lines. Ms. Nesbit stated there were 457 feet of leach lines and further stated if the system should fail, the lot would need to be assessed for the type of replacement system needed.

Mr. Crum asked how close the tank was to the home and if the home would be on a slab. Mr. McLane indicated the home was approximately 12 to 15 feet from the tank and would have a basement.

Mr. Meadors made a motion to approve the variance request to connect a new home to an existing household sewage treatment system at 3656 Blue Sky Park Rd., Jackson Township (10-V-24), with the contingency that an alteration permit be obtained for the new distribution box. Mr. Crum seconded the motion. The vote was all ayes; motion carried. (Attachment #8)

OAC/REG: 3701-28-12(J) – Use of the Monjolin Smart Filter Instead of a Roof Washer at 1083 O'Bannonville Rd., Goshen Township (11-V-24) – Ms. Nesbit stated the property owner, Ron Salatin, is requesting a variance to use a Monjolin Smart Filter instead of a roof washer at 1083 O'Bannonville Rd., Goshen Township (11-V-24). Ms. Nesbit explained it is being proposed to install a Monjolin Smart Filter at the end of each downspout that is connected to the water supply piping, which is connected to the cistern. The Monjolin Smart Filters would be used in place of a roof washer. Ms. Nesbit presented pictures to the Board from the system manufacturer and of the property indicating where the cistern is located. She stated that even if the Monjolin system filtered debris such as sticks and leaves it would not filter animal fecal matter. In contrast, the standard roof washers divert contaminants on the surface of the roof by redirecting the first 10 gallons of water away from the private water system. Staff recommended disapproval due to the Monjolin Smart Filter not redirecting the first 10 gallons of water away from the private water system as required in the Ohio Administrative Code 3701-28-12 (J). (Attachments #9 and 10)

The homeowner, Ron Salatin, was present and stated a standard roof washer would infringe on the proposed home's back deck steps and impact the cistern's capacity. He likes the Monjolin filters because there are multiple boxes, so if one becomes clogged, the others will continue to work. He also likes how the filters adapt to the amount of rain and indicated he would have gutter guards to prevent debris from entering the filtration system. He stated due to financial constraints he upgraded the existing cistern instead of completely replacing it. He also stated the design of the proposed home is based upon what they thought they could use, i.e., the Monjolin Smart Filter.

Dr. Rickabaugh asked what kind of disinfection procedure would be used with the proposed system. Mr. Salatin stated he would have an ultraviolet system set up in his basement.

Mr. Meadors asked if the property had access to county or city water. Mr. Salatin indicated public water was available across the street from the property, but it was cost-prohibitive to hook the property up to the water supply.

Robert Wildey, Director of Water and Waste, stated the Monjolin filter does not meet the rules set out in the Ohio Administrative Code, and he does not believe the Ohio Department of Health would approve this in the future. He further explained that even though the current homeowner has no concerns with the safety of the system, the home will most likely outlive the homeowner and a future homeowner, especially someone who is immunocompromised, could be adversely affected by the use of the filter without diverting the first 10 gallons of potentially contaminated water. He stated he sees no problem with using the proposed system, but it would need to be in addition to a system that would divert the first 10 gallons of water. Mr. Wildey also explained how private water systems, such as this one, have no follow-up inspections after installation.

Mr. Crum asked about the cost of a roof washer. Mr. Meadors stated there are several types of roof washers, and a few years ago, the cost was anywhere from \$500 to \$600 for the materials, excluding labor for installation.

Dr. Khan asked if roof washers could be buried to prevent the problem of infringing on the proposed deck steps. Mr. Meadors stated they must be partially exposed by approximately eight inches. Dr. Khan asked if eight inches would affect the deck. The homeowner indicated this would infringe upon the deck steps.

Mr. Crum asked if this type of system has successfully been installed in other counties in Ohio and if so, did they grant variances to do so. Mr. Salatin stated the representative from his installer, Rain Brothers, LLC based out of Yellow Springs, Ohio, indicated he has installed these systems in other counties and will contact him about any variances. Mr. Crum stated he would like copies of any variances granted for the system.

Mr. Meadors asked if the cistern was a block wall construction, and the homeowner indicated it was.

After voicing concerns about protecting the health of the current homeowner as well as any future homeowners, the Board decided to table a decision regarding the variance until the April 10, 2024 meeting so additional information could be gathered regarding the Monjolin Smart Filter.

Mr. Meadors then made a motion to table a decision regarding the variance to use a Monjolin Smart Filter instead of a roof washer at 1083 O'Bannonville Rd., Goshen Township (11-V-24) until the April 10, 2024 Board of Health meeting. Mr. Brown seconded the motion. The vote was all ayes; motion carried.

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

Approval to extend Mark Owens' Temporary, Intermittent Water Quality 2 Position with the Water and Waste Division – Ms. Nesbit stated due to Charlie Benjamin's upcoming retirement, staffing will continue to be an issue in the Water and Waste Division. Therefore, she requested extending Mark Owens' appointment as a Temporary Intermittent Water Quality Technician 2 through July 12, 2024.

Mr. Brown made a motion to extend Mark Owens' Temporary, Intermittent Water Quality 2 Position with the Water and Waste Division through July 12, 2024. Dr. Khan seconded the motion. The vote was all ayes; motion carried. (Attachment #11)

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 the facility has come into compliance based on the last inspection. Brian Williamson stated that Shelby Simons, REHS, reported no rodent droppings were found during her follow-up inspection. Everything was off the floor or on rollers for cleaning purposes, and food was stored in containers. Ms. Nesbit requested the Board take no action against the license at this time.

Brian Williamson, Director of Environmental Health, stated that in addition to the above-referenced inspection, he received three separate invoices from the pest control company. The first and second visits indicated pest activity at the bait stations, and the third visit indicated no pest activity. The establishment intends to continue using weekly pest control.

Mr. Crum asked if other inspections were scheduled and, if so, how often. Mr. Williamson stated according to protocol, another inspection would occur within one year. Mr. Crum asked if the inspectors could perform a follow-up inspection within 60 days. Ms. Nesbit stated this would not be a problem.

Mr. Brown made a motion to take no 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 Safety Code 3717-1 and for a follow-up inspection to be performed within 60 days. Mr. Meadors seconded the motion. The vote was all ayes; motion carried.

Adoption of Resolution 04-24 Authorizing the Clermont County General Health District to Buy Out the Remaining Leases for all Vehicles it Leased Through Enterprise Fleet Management, Inc. – Ms. Nesbit stated Tim Kelly has worked with the Prosecutor's Office to prepare a resolution granting authority to the Health Commissioner to sell the Enterprise Fleet Vehicles and terminate the maintenance agreement. She stated the resolution has an up-to amount, which will be less as we continue to make lease payments, and it also doesn't specify when or how many vehicles are to be sold. The plan is to sell 50% of the fleet as previously discussed and to continue to provide updates as we move forward.

Mr. Kelly stated he had encountered some issues with the maintenance contracts not meeting the Prosecutor's approval. He is continuing to explore options. Ms. Nesbit stated we cannot do a buyout until the issues with the maintenance agreements are resolved.

Mr. Crum made a motion to adopt Resolution 04-24 Authorizing the Clermont County General Health District to Buy Out the Remaining Leases for all Vehicles it Leased Through Enterprise Fleet Management, Inc. 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 #12)

Adoption of Resolution 05-24 Declaring Properties Public Health Nuisances – Ms. Nesbit presented the addresses of two properties to be considered public health nuisances as stated on

Attachment A of Resolution 05-24 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 05-24 to declare the properties listed on Attachment A 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 declare Resolution 05-24 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. Mr. Crum then made a motion to adopt Resolution 05-24 declaring the properties listed on Attachment A 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. Dr. Khan 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 #13)

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 #14)

Food Service Operation Program Survey Conducted by ODH (2023) – Ms. Nesbit stated the Ohio Department of Health conducted a survey of the Food Service Operation Program in December 2023 and found the program meets standards, and there were no corrective actions. She commended the Environmental Health Division Staff on the survey and their hard work. (Attachment #15)

WIC Grant Financial Compliance Desk Review – Ms. Nesbit stated the Ohio Department of Health's WIC Grant Financial Compliance Desk Review has been completed, and there were no findings. She commended Fiscal Officer Katrina Stapleton for all of her work in complying with the timelines set by ODH. (Attachment #16)

Public Health Accreditation Board Reaccreditation Site Visit – Ms. Nesbit advised the Board of the Public Health Accreditation Board virtual site visit scheduled for March 18, 2024. Mr. Kelly has completed the technology check. She also advised if the agency is approved for reaccreditation this year, the next reaccreditation application will occur in 2029.

District Advisory Council Meeting – Ms. Nesbit invited the Board to the District Advisory Council Meeting, which will be held on March 21, 2024, at 7:15 p.m. at the Clermont County Engineer's Conference Room. The Township Association Meeting will start at 6:30 p.m. with dinner and a short meeting, and then the District Advisory Council Meeting will begin. She indicated that Steve Meadors' position is up for appointment.

CCPH Performance Management, Strategic Plan, and Quality Improvement – Assistant Health Commissioner of Community Health Services Maalini Vijayan highlighted two Quality Improvement Projects completed by staff, Vital Statistics and Operation Permits, outlining the problems and solutions for each project. She explained how the Operation Permits Quality Improvement Project is a two-phase project, with only the first phase being completed at this time and phase two ongoing. (Attachments #17 and 18)

Ms. Nesbit presented information regarding CCPH Performance Management, Clear Impact. Ms. Nesbit demonstrated and reviewed the score cards, the measures being tracked, and the mechanism to review progress. Ms. Nesbit also discussed the 2024 update to the Strategic Plan. (Attachment #19)

ADJOURNMENT:

Dr. Khan made a motion to adjourn the meeting at 4:41 p.m. Mr. Crum seconded the motion. The vote was all ayes; motion carried.



SECRETARY



RESPECTFULLY SUBMITTED