



## **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 September 11, 2024. President Dennis Brown called the meeting to order at 3:30 p.m. Mr. Brown led the Board Members and guests in the Pledge of Allegiance.

Mr. Brown then invited the Board Members and guests to take a moment of silence to remember those lost on 9/11 and their families.

<b>Call to Order:</b>	Dennis Brown, present	Dr. Joseph Khan, present
	Dr. Janet Rickabaugh, present	Andrew Crum, 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; Robert Wildey, Director of Water and Waste; Tara Jimison, Director of Nursing; 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 August 14, 2024** - Recommendation to approve the minutes from the August 14, 2024 Board of Health Meeting.
- 2. Approval to Sign Memorandum of Understanding for Implementation and Coordination of the General Health District/Ohio Environmental Protection Agency Semipublic Sanitary Disposal System Inspection and Enforcement Program (aka House Bill 110 Program)** (Attachment #2)

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

#### **NON-CONSENT AGENDA:**

##### **Variances:**

**Connect a New Home to an Existing Household Sewage Treatment System at 1778 US 50, Stonelick Township (31-V-24)** - Ms. Nesbit stated this was the variance the Board tabled at the last meeting wherein the property owner, Tom Verkamp, is requesting a variance to connect a new home to an existing household sewage treatment system at 1778 US 50, Stonelick Township (31-V-24). As a reminder, she stated the owner built a new home on the property, intending to demolish the old home; however, the owner has since changed his mind and would like to keep the old home connected to the existing system and use it as a pool house/guest house. If the variance is approved,

two three-bedroom homes (six total bedrooms) will be connected to a three-bedroom sand filter system. Staff recommends disapproval.

She further indicated Mr. Wildey had researched the small flow rules for this variance and could not find anything prohibiting two homes on a pre-existing discharging system. The system is allowed continued use under the current rules; therefore, it is his opinion that instead of changing it to a small flow on-site sewage treatment system (SFOSTS), it would need to remain a standard residential system. If the variance is approved, the operation permit program will continue monitoring the system.

Mr. Verkamp was present. He indicated he did not intend to rent the second home and would solely use it as a pool house.

Mr. Crum asked about potential future problems if the variance was granted. Mr. Wildey indicated the chance of future problems would depend on the use of the second home and the strain put on the system.

Mr. Verkamp asked if the system would be on a three-year inspection cycle if the variance was approved and if the inspector would be able to identify any problems upon inspection. Ms. Nesbit indicated the system would continue to be on an inspection cycle for the operation permit, and the inspector would be able to identify any issues upon inspection.

Mr. Crum made a motion to approve the variance request to connect a new home to an existing household sewage treatment system at 1778 US 50, Stonelick Township (31-V-24). Dr. Rickabaugh seconded the motion. The vote was all ayes; motion carried. (Attachment #3)

**Connect a New Home to an Existing Household Sewage Treatment System and Isolation Distance at 6457 Bonnie Lane, Miami Township (38-V-24)** – Ms. Nesbit stated the property owner, Gary Beatty LLC, is requesting a variance to connect a new home to an existing household sewage treatment system and an isolation distance variance at 6457 Bonnie Lane, Miami Township (38-V-24). The leach bed system has passed all inspections since 2009 and has received the Acceptable Operation and Maintenance (AOM) designation. The existing home is presently vacant. The septic system is older, and the leach bed portion of the system is reported to be underneath the shed building behind the home. The existing home is a two-bedroom home, and the proposed new home is a three-bedroom home. Staff recommends disapproval.

The property owner, Gary Beatty, was present. He stated if the Board did not approve the variance, he would have no problem making the new home a two-bedroom and making the deck smaller to avoid the isolation distance problem.

Mr. Crum asked how long the property had been vacant and if it was intended to be a rental property. Mr. Beatty stated the property had been vacated this year and planned to use it as a rental property.

Mr. Crum asked if it was a rental property in the past. Mr. Beatty stated it was used as a rental property in the past.

Mr. Crum asked the homeowner if he intended to remove the shed. Mr. Beatty indicated he had no intentions of removing the shed, but if the Board requested him to do so, he would comply. Ms. Nesbit stated more damage may be done to the leach field by removing the shed rather than leaving it there. Mr. Crum asked if the shed was built on a concrete pad. Mr. Beatty confirmed the shed was built on a pad.

Mr. Beatty asked if there was any potential for utilities to be extended to the property location for future tie-in. Mr. Wildey stated that utility extensions are not usually actively offered unless the neighborhood comes together, or a developer becomes involved in petitioning for such. Ms. Nesbit added any extensions would be considered by Clermont County Water Resources, not Public Health.

Dr. Rickabaugh made a motion to approve the variance request to connect a new home to an existing household sewage treatment system and the isolation distance variance at 6457 Bonnie Lane, Miami Township (38-V-24). Dr. Khan seconded the motion. Mr. Crum requested additional discussion and inquired if the motion was approving both the connection of a new home and the isolation distance. He also asked if any other member of the Board felt the deck should be modified to meet the code requirements regarding isolation distances. Ms. Nesbit stated the main reason for staff disapproval was because the system was older, the new home would contain an additional bedroom, and the shed appeared to be positioned on the leach field. She added the isolation distance was of little concern, and the motion requested was for approval for both variances. After discussion, Mr. Brown called the previous motion for a vote with no amendments. The vote was all ayes; motion carried. (Attachment #4)

**Isolation Distance and Connect a Room Addition to an Existing Household Sewage Treatment System at 798 Decade Lane, Miami Township (35-V-24)** – Ms. Nesbit stated the property owner, Deborah McCarty, is requesting an isolation distance variance and a variance to connect a room addition to an existing household sewage treatment system at 798 Decade Lane, Miami Township (35-V-24). The system is a pretreatment to drip distribution and was replaced in 2015. There were high weeds upon inspection in January 2016 and August 2017. The system passed inspection in June 2017. In February 2019, the property was vacant and passed inspections from September 2020 through November 2023. The system has recently been serviced, and electrical components have recently been updated with a new control panel. The existing septic system is approximately eight feet from the proposed addition. The addition will increase the number of bedrooms from four to six in the home. The new additional will include a mother-in-law suite. Staff recommends approval.

The property owner, Deborah McCarthy, was present.

Mr. Crum made a motion to approve the isolation distance variance and the variance to connect a room addition to an existing household sewage treatment system at 798 Decade Lane, Miami Township (35-V-24). Dr. Rickabaugh seconded the motion. The vote was all ayes; motion carried. (Attachment #5)

**Isolation Distance at 6469 Shiloh Rd., Wayne Township (36-V-24)** – Ms. Nesbit stated the property owners, Mike Woods and Sandy Meece, are requesting an isolation distance variance at 6469 Shiloh Rd., Wayne Township (36-V-24). The owners would like to install a spray irrigation system; however, the edge of the spray dispersal area is 24 feet from the driveway. The isolation distance variance is needed because the spray dispersal area is less than 50 feet from the driveway. Staff recommends approval.

The property owners, Mike Woods and Sandy Meece, were not present.

Dr. Rickabaugh made a motion to approve the isolation distance variance at 6469 Shiloh Rd., Wayne Township (36-V-24). Dr. Khan seconded the motion. The vote was all ayes; motion carried. (Attachment #6)

**Isolation Distance at 3449 Locust Dr., Pierce Township (37-V-24)** – Ms. Nesbit stated the property owner, Keegan Gregory, is requesting an isolation distance variance at 3449 Locust Dr., Pierce Township (37-V-24). The system is an Advanced Treatment Leachfield (ATL) system, with the closest end of the ATL structure situated approximately 32 feet from the edge of a creek. Due to the property's topography, the site has a limited area for a septic system. The ATL structure is located in the most suitable soil area. According to the Ohio Administrative Code, the soil absorption component of a sewage treatment system shall be at least 50 feet from any perennial stream, thus the need for an isolation distance variance. Staff recommends approval.

The property owner, Keegan Gregory, was not present.

Mr. Crum inquired about the number of lines coming out of the system. Mr. Wildey stated this system is an ATL system with two very wide lines. He further stated due to the extreme topography, the ATL system is the most suitable option.

Mr. Crum made a motion to approve the isolation distance variance at 3449 Locust Dr., Pierce Township (37-V-24). Dr. Rickabaugh seconded the motion. The vote was all ayes; motion carried. (Attachment #7)

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

**Second Reading of a Resolution to Revise Local Air Pollution Control Regulations** – Prior to the second reading of the proposed resolution, Ms. Nesbit explained she misinformed the board last month and a hearing was not required for this particular resolution because it is considered to be a regulation, as opposed to a fee resolution which is mandated to have a public hearing before the second reading. She further stated the proposed resolution was posted to the agency's website, no comments were received, and no one was present to give public comment. She then held the second reading of the Resolution to Revise Local Air Pollution Control Regulations by title only. The third and final reading is scheduled for October 9, 2024.

**First 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; Mobile Low-Risk Food Service Operations or Retail Food Establishments; and Mobile High-Risk Food Service Operations or Retail Food Establishments** - Ms. Nesbit stated Fiscal Officer, Katrina Stapleton, has been preparing cost methodologies for food fees. She explained that, under current state law, only food fees must be evaluated every year, and although other environmental health fees will continue to be evaluated, it is recommended that they remain unchanged at this time. She pointed out to the Board that vending fees cannot be increased more than the Consumer Price Index, and mobiles have now been split into high-risk and low-risk categories. The Board reviewed the proposed revisions, and Ms. Nesbit then held the first 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; Mobile Low-Risk Food Service Operations or Retail Food Establishments; and Mobile High-Risk Food Service Operations or Retail Food Establishments by title only. Notification of a public hearing to accept comments on the proposed fees at the October 9, 2024, Board of Health meeting will be sent to known license holders via regular mail and email.

**Approval to Receive \$2,000 Stipend through The Health Collaborative (THC) to Co-design the Community Partner Network (CPN)** – Ms. Nesbit explained the agency has been working with The Health Collaborative on the next iteration of the Community Health Needs Assessment. As part of the

process, THC is piloting the Community Partner Network (CPN) project to strengthen partnerships and advance shared goals for community health. In appreciation of the agency's efforts to participate in this pilot project and to support its involvement, The Health Collaborative awarded CCPH a stipend of \$2,000. The funds are unrestricted and may be used at the agency's discretion. Ms. Nesbit requested approval to receive the \$2,000 stipend through The Health Collaborative.

Mr. Crum made a motion to approve the receipt of a \$2,000 stipend through The Health Collaborative for the agency's participation in the Community Partner Network pilot project. Dr. Rickabaugh seconded the motion. The vote was all ayes; motion carried. (Attachment #8)

**Adoption of Resolution 17-24 Declaring Properties Public Health Nuisances** - Ms. Nesbit presented the addresses of two properties to be considered public health nuisances as stated on Attachments A and B of Resolution 17-24 Declaring Public Health Nuisances and Ordering Abatement of Nuisances at Identified Properties.

Following a review and discussion, Dr. Rickabaugh made a motion to waive the three required readings of Resolution 17-24 Declaring the Properties listed on Attachments A and B Public Health Nuisances. Mr. Crum seconded the motion. The vote upon roll call was as follows: Mr. Crum, aye; Dr. Khan, aye; Mr. Meadors, absent; Dr. Rickabaugh, aye; Mr. Brown, aye; motion carried. Mr. Crum then made a motion to declare Resolution 17-24 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. Dr. Rickabaugh seconded the motion. The vote upon roll call was as follows: Mr. Crum, aye; Dr. Khan, aye; Mr. Meadors, absent; Dr. Rickabaugh, aye; Mr. Brown, aye; motion carried. Dr. Khan then made a motion to adopt Resolution 17-24 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. Crum, aye; Dr. Khan, aye; Mr. Meadors, absent; Dr. Rickabaugh, aye; Mr. Brown, aye; 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, Mr. Crum made a motion to pay the bills as presented. Dr. Rickabaugh seconded the motion. The vote was all ayes, motion carried. (Attachment #10)

**Staff In-Service Day** – Ms. Nesbit reminded the Board that the offices will be closed on October 14, 2024, for the Staff In-Service Day and Employee Recognition.

**ADJOURNMENT:**

Mr. Crum made a motion to adjourn the meeting at 4:11 p.m. Dr. Rickabaugh seconded the motion. The vote was all ayes, motion carried.

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SECRETARY

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RESPECTFULLY SUBMITTED