

**Hamilton County General Health District**  
**REGULAR MEETING – BOARD OF HEALTH**  
**October 12, 2009**  
**Minutes**

**1. Call to Order**

At 6:30 p.m., President Tracey Puthoff called to order the regular session of the Board of Health of Hamilton County General Health District followed by the Pledge of Allegiance.

**2. Roll Call of Members**

Members Present: President, Tracey Puthoff, Esq.; Jim Brett; Mark Rippe; Tom Chatham; Kenneth Amend, M.D.

District Staff: Timothy Ingram, Health Commissioner; Kathy Lordo, Asst. Health Commissioner; Dr. Stephen Bjornson, M.D., Medical Director; Greg Kesterman, Environmental Health Director; Clara Hughes, Finance Officer; Chris Griffith, Water Quality Director; Robin Fristoe, Secretary

**3. Approval of Minutes**

**Mr. Rippe** moved to approve the minutes of the September 14, 2009 Board of Health meeting.

**Mr. Chatham** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff.**

Ms. Puthoff welcomed the Masters in Public Health students from the University of Cincinnati and Mr. Ingram welcomed their Instructor, Dr. Ludke.

**4. Health Commissioner's Report**

Mr. Ingram reported that Hamilton County Public Health (HCPH) continues to make good progress in meeting the 2006-2009 Program Plan of Work activities and will soon begin writing the 2010-2013 Program Plan of Work. Mr. Ingram gave a brief explanation of the School and Hotel/Motel Regulations that will be presented this evening by Greg Kesterman, Director of Environmental Health. There was discussion of the Valley Home project.

**Staff Reports**

**Dr. Bjornson, Medical Director**

Dr. Bjornson reported that H1N1 is becoming more prevalent. HCPH began distributing vaccine to fire department EMTs today. We continue to wait for future shipments of vaccine at which time we will begin administering vaccine at the schools. Other health departments will be responsible for providing vaccine to their communities.

**Kathy Lordo, Assistant Health Commissioner**

Ms. Lordo reported that Tuberculosis Control is seeing an increase in medication requests. This means more people are seeking treatment.

The Epi & Assessment division has been using the Health Watch program for monitoring influenza-like illnesses in schools and it seems to be working well. HCPH is about to release the ten year Injury Surveillance report.

Health Promotion and Education received the CDC and Robert Wood Johnson grants, both of which focus on health, nutrition and smoking.

The Nursing division continues to see a decrease in their immunization clinic usage. It is hopeful this is due to children receiving their vaccines from their primary care physician.

Due to seasonal flu and H1N1, the HCPH Twitter account and website activity is up. The H1N1 call log appears to be working well.

Mr. Ingram and Ms. Lordo met with the Hamilton County Commissioners today to update them on Hamilton County Public Health's H1N1 plans. Ms. Lordo gave a brief explanation of the H1N1 plan to the Board Members.

#### **Nee Fong Chin, Chief Assistant Prosecuting Attorney**

Ms. Chin presented to the Board of Health a copy of a court decision dated September 3, 2009. This was from the Tenth District Court of Appeals, which upheld the Hamilton County Hearing Officer's decision: "*Northside Amateur Boxing School, d.b.a. Rinks Flea Market Bingo, is not a private club and is not exempt from the SFO workplace law*".

Ms. Chin proposed to Rink's Flea Market Bingo a settlement agreement that states they admit to have violated the SFO Workplace law on all six of the pending cases and that they owe a total of \$9,100 of fines. The settlement does not allow a reduction in fines and guarantees Rink's will withdraw all of their requests for administrative hearings and appeals for all pending six cases.

A tentative payment schedule will be utilized for the \$9,100 in penalties: \$5,000 will be paid the day of the signing of the agreement, with four consecutive payments of \$1,025 beginning December 31, 2009 and to continue through January 31, 2010, February 28, 2010 and March 31, 2010. Default on any of the final payments will void the payment schedule and the total amount will be due. Ms. Chin requested that the Board of Health pass a motion.

**Mr. Chatham** moved to approve the settlement agreement proposed by Ms. Chin that will allow the Health Commissioner to sign future settlement agreements in this matter. **Mr. Brett** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff.**

### **5. Finances**

#### **a. Revenues and Expenditures, Mileage and Disbursements**

Ms. Hughes reported that the expenditures and revenues are currently on track, however, food service plan review revenues are down.

**Mr. Rippe** moved to approve the Revenues and Expenditures, Mileage and Disbursements.

**Mr. Brett** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

b. **Mr. Chatham** moved to approve that the Health Commissioner have the authority to approve payment of state pass-through fees and contractual obligations up to \$25,000.

**Mr. Rippe** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

#### **c. Resolution F-2009**

**Mr. Brett** moved to approve Resolution F-2009; to increase appropriations by \$25,000 in the Construction and Demolition Debris fund. **Mr. Chatham** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

### **6. Unfinished Business**

There was none to discuss.

**7. New Business**

**a. Smoke Free Ohio**

**Mr. Brett** moved to affirm the Hearing Officers decision for Meyer's Music and Sports, Case No. SFO 2009-001. **Dr. Amend** seconded the motion.

**Roll Call Vote - Yes: Chatham, Rippe, Brett, Amend, Puthoff**

**b. Variances**

1. 3124 Kleeman Rd., Green Township – Homeowner requested a variance from the setback requirements of Regulation 529.

**Mr. Brett** moved to approve the variance SVAR 2009-12 based on staff and landowner agreement and suggestion #3 - Removal of the leaching trenches within 10 feet of the proposed detached garage and existing pool and install a pretreatment device meeting today's standards. The pretreatment system would then discharge into the shortened leach lines.

**Dr. Amend** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

2. 8505 Harrison Pike, Whitewater Twp. – Requested to continue the use of a black water holding tank until sewers become available. Currently dry sewer is installed near the subdivision and will connect when the sewer line is operational.

**Mr. Brett** moved to approve variance SVAR 2009-11, **Mr. Rippe** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

3. 6886 Taylor Rd., Green Twp. – Requested to install the sewage treatment system closer than ten feet from a hardscape,

**Mr. Brett** moved to approve variance SVAR 2009-08, provided system is installed to prevent surface water runoff from the septic system. **Mr. Rippe** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

4. 7872 YMCA Rd., Anderson Twp. – Requested a variance to allow a new private water system to be installed within the 100 year flood plain.

**Mr. Brett** moved to approve variance SVAR 2009-01, **Mr. Rippe** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

5. 10291 Suspension Bridge Rd., Whitewater Twp. –Requested to divide a parcel that is located in the 100 year flood plain.

**Mr. Brett** moved to approve variance SVAR 2009-10 with the following contingencies: the property owner will complete and finalize the entire subdivision application with HCPH. Hamilton County Chief Assistant Prosecuting Attorney, Nee Fong Chin, will place a deed restriction on the properties to prevent future development without sanitary sewer.

**Mr. Rippe** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

**c. Proposed Regulation 1-2009 and Regulation 2-2009 – Greg Kesterman, Director of Environmental Health**

Mr. Kesterman gave a presentation on Motel and School regulation revisions:

- \* **Motel Regulation, 1-2009 revisions** – To update the language from 1961 as well as revise inspection of food safety, rodent/insect inspection and chemical safety.

Mr. Ingram will write a letter to all hotels & motels in Hamilton County informing them of the revisions and request any suggestions be submitted to HCPH within 45 days.

- \* **School Regulation, 2-2009 revisions** – to update the language; in reference to Jarod's Law, HCPH will replace the reference to ODH with HCPH. The Board suggested checking with the schools to identify the safety issues that are currently in place. The Board will revisit this issue at the November Board of Health meeting.

d. **Personnel Policy Revisions** – Mr. Ingram reviewed the revised personnel policy changes as presented:

- Section 3.9 – Employment Anniversary Awards
- Section 4.0 – Family and Medical Leave
- Section 4.2 – Sick Leave Incentive
- Section 4.9 – Leave Donation
- Section 5.2 – Group Health Insurance Benefits
- Section 6.7 – Telephone Usage Policy
- Section 4.1 – Sick Leave

**Mr. Rippe** moved to approve the personnel policy revisions. **Mr. Brett** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

## 8. Executive Session

At 8:35 p.m. **Ms. Puthoff** made a motion to move to Executive Session to discuss personnel matters. **Mr. Rippe** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

The Board returned from Executive Session at 9:40 p.m.

The Board of Health analyzed the proposed 2010 medical and dental insurance plan. Mr. Chatham stated the medical and dental insurance costs and benefits have been legislated to HCPH by the Hamilton County Board of County Commissioners.

**Mr. Chatham** moved to approve the Hamilton County Public Health 2010 medical and dental health insurance plan, design and cost allocations along with the elimination of the medical/dental opt out waiver payment to employees, effective January 1, 2010, **Mr. Rippe** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

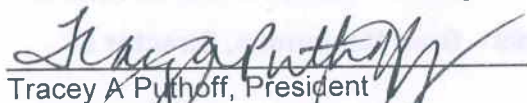
The Board made a unanimous decision to change the date for the December Board of Health meeting to December 21, 2009.

## 9. Adjournment

At 9:45 p.m. **Mr. Rippe** moved to adjourn the meeting, **Dr. Amend** seconded the motion.

**Roll call vote – Yes: Chatham, Rippe, Brett, Amend, Puthoff**

**The next Board of Health meeting is November 9, 2009.**

  
Tracey A. Puthoff, President

  
Timothy I. Ingram, Secretary  
Health Commissioner