

**Hamilton County General Health District
REGULAR MEETING – BOARD OF HEALTH
June 13, 2022 – 4 p.m.
Minutes**

1. Call to Order

At 4 p.m., Elizabeth A. Kelly, President, 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: Elizabeth A. Kelly, M.D., President
Dan Meloy, Vice President
Mark A. Rippe
James Brett

District Staff Present: Greg Kesterman, Health Commissioner
Craig Davidson, Assistant Health Commissioner
Dr. Steve Feagins, Medical Director
Nee Fong Chin, Chief Assistant Prosecuting Attorney
Greg Varner, Finance Officer
Jeremy Hessel, Director of Environmental Health
Ali Barbro, HCPH

Guests: Nick Lingenfelter, PLK Communities
Matt Weis, PLK Communities

3. Clean Kitchen Awards

Craig Davidson read the list of eight Clean Kitchen Award recipients and congratulated them for their efforts to maintain a high level of sanitation and staff education.

4. Approval of Minutes

Mr. Meloy moved to approve the minutes from the May 9, 2022 Board of Health meeting.

Mr. Brett seconded the motion.

Roll Call Vote – All Aye

5. Resolution F: Appreciation for the Outstanding and Dedicated Service of Chris Griffith

Commissioner Kesterman expressed public appreciation to Chris Griffith for his more than 20 years of dedicated service to HCPH. He highlighted his work maintaining the systems and processes that make HCPH a leader in the provision of services in the Water Quality Division. He commended the changes he made during his time at HCPH that drastically impacted the environment in Hamilton County.

Mr. Rippe moved to approve Resolution F: Expressing Appreciation for the Outstanding and Dedicated Service of Chris Griffith.

Mr. Meloy seconded the motion.

Roll Call Vote – All Aye

6. Public Comment: None.

7. Miamiview Apartments Swimming Pool variance request

Director of Environmental Health Jeremy Hessel shared that the state rules for pools per the Ohio Administrative Code is that any pool over 2,000 square feet is required to have a lifeguard at the pool. After inspection, the pool at Miamiview Apartments was measured to be over 2,000 square feet; the pool licensure inaccurately listed it as having 1,999 square feet. It was clear after speaking to ODH Administrator Mary Shaeffer, that they would not approve a limited variance based upon the requirements of the code.

Matt Weis with PLK Communities shared that it is impossible to find a lifeguard right now. The pool has been operating for 40-50 years without a lifeguard. The property was purchased 3-4 years ago without knowing it was more than 2,000 square feet. He is requesting HCPH to allow them to get through this year, or to allow a temporary lane closure to reduce it to under 2,000 square feet, allowing them to open the pool. Mr. Brett asked if there's been any incidents in this pool? Mr. Weis replied no, there have not been any incidents. Mr. Weis asked Mr. Hessel if there was anything that could be done to temporarily reduce the size of the pool? Mr. Hessel responded that in order to temporarily or permanently reduce the square footage of the pool, it has to go through the state of Ohio. Mr. Meloy asked if anything could be done to expedite that process? No. Ms. Chin asked what is the makeup of the apartment complex; primarily families? Mr. Weis answered that there are a lot of families with kids, and each apartment can invite two guests. Commissioner Kesterman asked how many people are usually at the pool on a Saturday? Mr. Weis answered typically 15-20 during a weekday. Mr. Rippe asked what have you done to try and find a lifeguard? Mr. Weis answered that they have had communications with Columbus, have posted ads, have contacted several different pools requesting staffing help and have contacted several different pool management companies. He shared that in the City of Cincinnati, only 8 of the 23 pools are open. This leaves 15 pools closed due to lack of lifeguards. Mr. Rippe asked if there is signage in place warning of no lifeguard present? Yes, it is required by code. Mr. Hessel commented that he would like to remind people the liability that could be incurred with this variance. Mr. Brett shared he would like to propose a 30-day variance to allow them to find a lifeguard, if approved by ODH, since there have been no incidents at the facility. Dr. Kelly shared she is not in agreement with the proposal, as she is not willing to take a risk of an unnecessary death. Commissioner Kesterman asked if there are any concerns from a liability standpoint for HCPH? Ms. Chin commented that yes, HCPH would be liable if something happened in the 30-day variance period. Mr. Meloy commented that he would like to confirm with the Whitewater EMS that there haven't been any incidents at this pool. Commissioner Kesterman commented that if a variance was in place, ODH would have the final approval or denial. Mr. Weis commented that they already have a plan in place for the alteration of the pool, but it needs permits and approval. Mr. Meloy asked if this would all go away if you hired a lifeguard? Yes.

Commissioner Kesterman shared his caution with the Board, citing concern for the safety of children's lives. He stated that a denial might encourage the business to get serious about hiring a lifeguard. Dr. Kelly made a motion to align with staff recommendation, which is denial of the variance request. There was no second to the motion and the matter was discussed further.

Mr. Brett moved to approve a limited variance contingent upon approval from the Ohio Department of Health, to allow MiamiView Apartments, LLC to operate for 30 days while varying from the requirements of the Ohio Administrative Code Section 3701-31-04(E)(4)(a). During the 30-day period, the operator shall diligently look for a lifeguard or work to reduce the size of the public swimming pool in accordance with the Ohio Revised Code and Ohio Administrative Code. In addition, all children (18 and under) must be accompanied by an adult and hours of operation of the public swimming pool will be limited to 9a – 6p.

Mr. Meloy seconded the motion.

Roll Call Vote: Mark Rippe: Recuse; Jim Brett: Yes; Dan Meloy: Yes; Dr. Elizabeth Kelly: No

8. Personnel Policy Section 3.4: Overtime and hours of work / hourly employees

Commissioner Kesterman asked the Board to consider a change in the policy that would allow staff working on weekends, particularly after a holiday or sick day, to be compensated at 1.5 pay. He also noted that overtime would not be accruing regularly; this would mostly apply to festival weekends or special circumstances. Mr. Rippe asked if this has been approved by the county? Commissioner Kesterman responded that the HR department discussed it with both the county HR department and the prosecutor's office and they said it was permissible.

Mr. Meloy moved to approve the Personnel Policy Section 3.4 change as presented.

Mr. Brett seconded the motion.

Roll Call Vote – All Aye

9. Health Commissioner's Report & Community Health Services

Commissioner Kesterman shared an update on the COVID-19 numbers. As of today, the seven-day average is 244 cases per day. The entire county is between 100-200 cases per 100k. Variants being seen are the BA.2.12. Hospitalizations remain low, with 95 people in the hospital and 15 people in the ICU. Death average is one death every four days. COVID-19 community level transmission level remains low.

HCPH continues to make progress on the vaccination front. Commissioner Kesterman shared they are ready for the next wave of vaccinations, which is six months – five years of age. All 10 nurses employed by ODH are trained in pediatric vaccinations, so that when this next age group is approved, HCPH is ready to go with a competent staff. There will be an FDA meeting on June 15 for Moderna and Pfizer's request for six month – five years of age vaccination approval. After approval, it takes between a few days and a week before vaccines can be administered.

The Commissioner gave an update on the lobby construction progress: the casework is to be installed this week, including cabinets, countertops, and shelves. Desks are scheduled to be installed in two weeks. The projected completion is the end of June.

Regarding the Association of Ohio Health Commissioners (AOHC) Position Paper on Gun Violence, HCPH is not going to do any lobbying at this time. The Legislature has been clear that they are pro-gun. The Commissioner is not looking for the Board to make a large political statement but shared that he is often asked for comments or positions and wants to make sure that he is speaking in agreement with the Board. AOHC is focusing on things that can be done to reduce gun violence. The Commissioner asked if there are items on the

AOHC list that he should avoid speaking on? Mr. Brett commented that if gun violence is considered a public health emergency, then public health should be the ones dealing with it. Mr. Meloy commented about the importance of community conversations, specifically thinking of the WeTHRIVE! work being done. In regards to gun violence, what efforts can we take, with the understanding that HCPH is part of the community? If we have requests, we can share our research. Commissioner Kesterman commented that assessments and data are already being shared in the community. Dr. Kelly commented that she hopes gun violence is talked about more. She thinks the AOHC list is mild and more could be said. Mr. Brett commented on the importance of focusing on mental and behavioral health regarding gun violence. The Board supported Commissioner Kesterman speaking in support of the items referenced in the AOHC position paper.

The Commissioner gave an update on House Bill 463 and Senate Bill 324. He has spoken with Representative Bill Seitz, who was displeased with the bill after hearing that it would take away the rights of the townships and villages who pay for the services of the Board of Health and give it to the County Commissioners.

The Commissioner shared that HCPH has hired an architect to complete a space plan. There have also been initial conversations with a real estate broker who will provide buildings that allow for an entire space or a smaller space to rehouse the functions that are currently in two different buildings. He intends to enter into agreement with the broker to find properties and represent HCPH through the process. Updates will continue as things progress.

Information about the Tax Levy Review Committee is included in the Board packet. All three requests will be recommended by the review committee and submitted to the County Commissioners for their consideration.

Mr. Rippe asked if any of the HCPH staff carry weapons when they do field work? Commissioner Kesterman commented that they do not, but are trained in trauma response. Our community health workers also wear solo protect badges, which enables them to be traced by GPS, and provides discreet emergency response if needed.

Staff Reports

(a) Medical Director's Report

Dr. Steve Feagins Medical Director provided an update on COVID-19; there are almost the same number of patients in hospitals at this time in 2022 as this time last year. We expect this number to be constant through the summer. There are currently a lot of subvariants of the current variant. There has been an 81 percent increase week-over-week in BA.4 and BA.5 cases, which is the highest increase seen. There is a concern over current increases as we are seeing 4.2 times more resistance to prior infection.

Large numbers of home antigen testing continue to be done. A study was shared about the BinaxNOW test, showing the Omicron Variant had a 95 percent detection rate. Dr. Feagins continues to advocate for and recommend using that test, as it is very accurate.

Dr. Feagins shared the importance of making progress in regards to post-COVID conditions. Statistics show that over 85,000 people in southwest Ohio are still struggling with post-COVID conditions. This is important in regards to workforce planning, as there are a lot of

people not in the workforce because of post-COVID conditions. It is difficult to predict the severity of effects. Protocols need to be in place for primary care physicians, including physical therapy, pulmonary rehabilitation and fatigue resulting in exercise intolerance.

Dr. Feagins shared a brief update on monkeypox: there was an announcement today about a probable case in the state of Ohio. The isolation and PPE protocols used for monkeypox are identical to what was used for COVID. There are two patterns/variants circulating from Nigeria. There have been some instances of human-to-human transmission of monkeypox in the same way syphilis is transmitted. Mr. Rippe asked how monkeypox is transmitted? Dr. Feagins shared that pus from a lesion can get into an open cut.

Dr. Feagins shared that risk of assault is higher for healthcare workers. Shooting attacks in healthcare settings are usually purposeful and targeted. There is a need to evaluate hospital and healthcare points of entry. Dr. Feagins shared a sobering statistic that in 2020, incidents of death by firearm in children exceeded the incidents of death by motor vehicle.

The monthly Communicable Diseases Epi report was provided in the Board packet.

(b) Department of Environmental Health Services

Assistant Health Commissioner Mr. Davidson reported updates on the COVID-19 vaccine effort. Things are slowing down overall compared to last month, but homebound vaccinations remain steady. There were 70 homebound visits. The team is eager to start helping the six-month to five-year-old age group regarding COVID-19 vaccines.

Mr. Davidson provided a waste management update. There was a small grant received by the Ohio EPA to provide hard-wired surveillance cameras at a recycling drop off location in the Village of Cleves. This will help staff information. Odor complaints are included in the Environmental Health Services Report, as well as HUD Lead Hazard Reduction Grant update.

Update on Norwood services; the Environmental Health team continues to do great work. The team recently helped with a pre-administrative hearing for a food facility that failed multiple inspections.

Mr. Brett asked if there's any way to go back and look at the number of odor complaints that Rumpke got compared to the number of times that they are in the news? Commissioner Kesterman commented that there was previously a summary included in a monthly Board report showing what happened at Rumpke. This can be provided in follow up.

10. Finances

(a) Monthly Disbursements

The May 2022 Disbursement Reports are included in the Board packet.

Mr. Rippe moved to approve the monthly disbursements.

Mr. Meloy seconded the motion.

Roll Call Vote – All Aye; - Mr. Brett abstained on White Water expenditures.

11. Unfinished Business: None.

12. New Business: None.

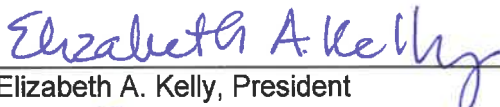
13. Adjournment

Mr. Rippe moved to adjourn the meeting at 5:40 p.m.

Mr. Meloy seconded the motion.

Roll Call Vote – All Aye

Next Board of Health meeting: July 11, 2022.



Elizabeth A. Kelly, President



Greg Kesterman, Secretary
Health Commissioner