

**Hamilton County General Health District**  
**REGULAR MEETING – BOARD OF HEALTH**  
**May 14, 2007**  
**Minutes**

**1. Call to Order**

At 6:30 p.m., President Mark Rippe called to order the regular session of the Board of Health of Hamilton County General Health District.

**2. Roll Call of Members**

Members Present: President, Mark Rippe; Tracey Puthoff, Esq.; Jim Brett;  
Kenneth Amend, M.D. (arrived at 6:37 p.m.)  
Others Present: Timothy Ingram, Health Commissioner;  
District Staff: Kathy Lordo, Assistant Health Commissioner; Chris Griffith;  
Greg Cassiere; Chuck DeJonckheere; Brad Johnson  
Guests: Greg Beamer, CSI; Peter Lucas; Bruce Schmucker

**3. Approval of Minutes**

**Mr. Brett** motioned to approve the minutes of the meeting on April 9, 2007.

**Ms. Puthoff** seconded the motion.

**Roll call vote – Yes: Puthoff, Brett Abstain: Rippe**

**4. Health Commissioner's Report**

Mr. Ingram stated that the Ohio Smoke free enforcement process is now being implemented. So far the Health District has received 32 complaints filed primarily against taverns, grocery stores, etc., that range in description from no signs posted, people smoking in the facility, people smoking too close to the doors, etc.

Mr. Ingram said the enforcement rules allow someone who disagrees with the sanitarian's findings to appeal their case to the Board of Health. The Health District and the complainant's representative would present their cases to the Board, who would then make a decision based on the information presented. Mr. Ingram suggested the Board allow him to enter into a contract with a hearing officer to hear the cases on the Board's behalf. The Board may or may not accept the hearing officer's findings. If the party disagrees with the Board's decision, they can appeal their case to the Court of Common Pleas in Franklin County. The Ohio Attorney General's office will represent the Health District in the proceedings with the Court of Common Pleas of Franklin County.

Mr. Ingram asked the Board to decide whether they want to hear the cases themselves or hire a hearing officer, licensed to practice law in Ohio, on their behalf. Mr. Ingram stated that Ms. Chin will forward to him names of people to consider as the hearing officer. He said that the Health District should receive about \$14,000 by July 1<sup>st</sup> from ODH for the smoking rules enforcement. There are no fines for the first offense. The second and subsequent offenses in a two-year period could generate fines from \$100 to \$2,500.

**Dr. Amend** moved to authorize Mr. Ingram to hire a hearing officer on behalf of the Board of Health to hear the appeals to the Ohio Smoke Free Workplace Law. **Ms. Puthoff** seconded the motion. **Roll call vote – Yes: Puthoff, Amend, Brett, Rippe**

Mr. Ingram stated that the House placed repeal language of the Ohio Household Sewage Laws in the Budget Bill. Therefore, there may be some changes in the sewage standards to help reduce costs for homeowners to comply with the new sewage rules. Mr. Ingram stated that we should know the outcome by the June 18<sup>th</sup> Board meeting.

The Budget Commission approved the Health District's 2008 operating budget unanimously.

#### **Staff Reports:**

##### **a. Presentation – CSI Solid Waste Transfer License**

Mr. DeJonckheere introduced Greg Beamer from CSI Republic Services, and engineers Pete Lucas and Bruce Schmucker, and staff member Brad Johnson (inspector for CSI). He gave a presentation on CSI's proposed new facility located at 10751 Evendale Drive in the Village of Evendale. He stated that they received CSI's operating license application requesting a permit for a 24 hour, 7 days a week facility. He said that the new facility has a much better design and frame structure. He reviewed the questions/ concerns of CSI's proposal from the City of Sharonville's representatives' letter included with the Board packet.

Mr. DeJonckheere stated that the Health District must respond to CSI's application by June 27<sup>th</sup>, 2007. He said that the Waste Management staff would do a pre-operational inspection to make sure the facility is ready to handle waste before they will issue them a license to operate.

Mr. Beamer, CSI's General Manager, stated that once they move from the current CSI facility it will be thoroughly cleaned and disinfected using guidelines set forth by state law and the Ohio EPA. He said that the goal for completion of the new facility is scheduled for July 10<sup>th</sup>.

Based on tonight's presentation, Mr. Ingram suggested that the Board take some time to consider this information and table this until the June 18<sup>th</sup> Board meeting. Mr. Ingram asked Mr. DeJonckheere to prepare a response letter to Mayor Lovitt of the City of Sharonville for his review before sending it out.

Mr. Beamer will provide the OSHA requirement minimum decibel level for heavy equipment in the response letter as requested by the Board.

Mr. Brett thanked Mr. DeJonckheere for preparing the CSI presentation for the Board meeting on such short notice.

#### **5. Finances**

Mr. Ingram stated that the revenues are at 35% (2% ahead) and expenditures are at 25% of budgeted projections. **Ms. Puthoff** moved to approve the revenues and expenditures and mileage and disbursements as submitted in the Board packet. **Mr. Brett** seconded the motion.

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

#### **6. Unfinished business**

There was no unfinished business to address at tonight's meeting.

## **7. New business**

### **a. Variances**

1. Addition – 8980 Flintwood Drive, Harrison Township – David Stehlin has requested to erect a pre-approved pole barn for storage. The proposed garage would be within four feet of the drywell and ten feet from the septic tank. Mr. Stehlin is requesting a variance from the setback requirements and seeks the Board's approval to move forward with the building process. Mr. Griffith recommended, if the Board members approve this variance, that Mr. Stehlin connect to the sewers within 90 days of the sewers installation. **Dr. Amend** moved to approve the variance with the stipulation that Mr. Stehlin connect to the sewers immediately within 90 days of the new sewers installation. Mr. Griffith added the condition that they want to make sure that Mr. Stehlin doesn't put a footer or drainage tile around the building within ten feet of the dry well. **Ms. Puthoff** seconded the motion.  
**Roll call vote – Yes: Puthoff, Amend, Brett, Rippe**

### **b. Regulations 2-2007/ 3-2007**

Mr. Brett stated that Mr. Ingram reviewed Regulations 2-2007 and 3-2007 at last month's Board of Health meeting. **Mr. Brett** moved to approve Regulation 2-2007. **Dr. Amend** seconded the motion.

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

**Mr. Brett** moved to approve Regulation 3-2007. **Ms. Puthoff** seconded the motion.

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

## **8. Executive Session**

At Mr. Rippe's request, **Ms. Puthoff** moved to go into an executive session at 8:00 p.m. to discuss capital expenditures and **Mr. Brett** seconded the motion.

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

At 8:35 p.m., the Board returned from executive session and announced no vote or action had been taken.

## **9. Other Business**

**Ms. Puthoff** moved that the July 9<sup>th</sup> Board meeting be changed to July 16, 2007.

**Mr. Rippe** seconded the motion. **Roll call vote – Yes: Puthoff, Amend, Brett, Rippe**

## **10. Adjournment**

With no other business to come before the Board, **Dr. Amend** moved to adjourn the meeting at 8:37 p.m. **Ms. Puthoff** seconded the motion.

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

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Mark A. Rippe, President

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Timothy I. Ingram, Secretary  
Health Commissioner