

CITY OF MIDDLETOWN  
BOARD OF HEALTH  
Minutes  
September 14, 2021

The City of Middletown Board of Health met in regular session at 7:30 AM on September 14, 2021.

Members Present

Mayor Nicole Condrey, BS, President  
Jeff Bonnell  
Margie Davis, RN  
Ruth Lolli  
Sally Kash, MS, RN  
Charlene Kurtz, BSN, RN  
Dr. Ken Patrick, DVM  
David Schul

Health Department Staff Present

Jackie Phillips Carter, MPH, BSN, RN  
Carla Ealy, RS, REHS  
Chandra Corbin, BSN, RN  
Dr. Paul Jennewine, MD  
Amanda McDonald

Absent and Excused

None.

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ROLL CALL

All board members were present.

CITIZEN COMMENTS

None.

PUBLIC HEARING-MBHE Ordinance No. 2021-01-Establishing 2022 Food Fees

Ms. Phillips Carter explained that the Board of Health holds a public hearing any time fees are increased or decreased. The floor was opened to citizens comments. Ms. Ealy stated she has only received one call regarding fees. There were no citizens present at the public hearing, the floor was closed.

APPROVAL OF MINUTES-August 2021

**Motion:** Mr. Schul moved, seconded by Ms. Davis to approve the August 2021 Board of Health Meeting Minutes.

**Roll call vote:** Yes-7 (Bonnell, Davis, Lolli, Kash, Kurtz, Patrick, Schul). No-0. **Motion passed.**

RECEIVE AND FILE FINANCIAL REPORT-August 2021

**Motion:** Ms. Kurtz moved, seconded by Ms. Kash to receive and file the August 2021 Financial Report.

**Roll call vote:** Yes-7 (Bonnell, Davis, Lolli, Kash, Kurtz, Patrick, Schul). No-0. **Motion passed.**

**EDUCATION PRESENTATION**-Southwest Ohio Air Quality Agency

Kerri Castlen with Southwest Ohio Air Quality Agency presented an agency overview to the board of health. Ms. Castlen informed the board that there are 50 employees and 3 divisions in the agency. The agency tracks pollutant trends, which has been showing clean air progress since 1990. From 1990 to 2017 emissions of air toxins declined by 74%, largely driven by federal and state implementation of stationary and mobile source regulations, and technological advancements from American innovators.

The Environmental Protection Agency (EPA) uses the air quality index to communicate daily air quality. The EPA has issued a national index for air quality since 1976 to provide an easy-to-understand daily report on air quality. There is a United States air quality index for five major pollutants that are regulated by the Clean Air Act: ozone, particle pollution (also called particulate matter), carbon monoxide, nitrogen dioxide and sulfur dioxide.

There are several local monitoring sites located in Middletown: Amanda, BPG, Hook Field, MADE, Ohio Bell, Yankee and Waneta. There have been three recent exceedances in Middletown, however; the suspected contributors have been identified. Actions taken to remedy the exceedances at AK Steel (now known as Cleveland Cliffs) include the addition of five dust boss' (wet suppression applicators) to the conveyer to rail car operation, maintenance/cleanout was performed on towers four and five, an interlock system is being put into place to ensure that all doors on the transfer towers remain closed, dust suppressant chemicals and water will now be employed at all times the conveyer is operating and the air vents on top of the total enclosure on the AK portion of the conveyor system have been sealed off. Actions taken at SunCoke include: wet suppression and water spray bars being added to the conveyor feeding the coke to the ground storage pile and wet suppression being added to the coke storage pile that feeds to the initial transfer tower.

Citizens can make an air quality complaint by calling 513-946-7777 or by visiting [southwestohioair.org](http://southwestohioair.org). Complaint types include: particulate, odor, fugitive dust, open burning, smoke and chlorofluorocarbons.

Ms. Castlen explained that citizen science is the practice of public participation and collaboration in scientific research to increase scientific knowledge. Through citizen science people share and contribute to data monitoring and collection programs. More information can be found at [purpleair.com](http://purpleair.com).

**Discussions**

Questions: Dr. Patrick asked why higher levels of pollutants are found at night.

Answer: Ms. Castlen explained that SunCoke pushes the coke out at night causing odors to be emitted.

Question: Ms. Ealy asked what the is the smell of the odor.

Answer: Ms. Castlen stated that as the coal cooks, sulfur is emitted.

Question: Ms. Phillips Carter stated that with now seeing an overall decrease in pollutants, she asked if the EPA will issue new standards.

Answer: Ms. Castlen stated yes, the EPA will reassess.

Questions: Mr. Schul asked how the wild fires in the west affect our compliance here.

Answer: Ms. Castlen stated that we sometimes see a haze due to the wildfires that can increase our numbers of air pollutants here. Ms. Castlen explained that live air quality monitors from all over the United States are shown at [purpleair.com](http://purpleair.com).

Question: Mr. Schul asked if open burning is controlled locally.

Answer: Ms. Castlen stated that while Middletown may have their own ordinances, Air Quality follows state laws.

Feedback: Mayor Condrey stated that Middletown ordinances allow only small contained fires.

Ms. Castlen stated that while all other air quality complaints continue to decrease, open burning complaints continue to increase.

Ms. Castlen asked if the board had any specific concerns about air quality in Middletown.

Mayor Condrey stated that she receives complaints constantly (regarding fugitive dust on cars or houses) and that people do no feel like they are being heard.

Ms. Castlen stated that replacing the quench tower should reduce particulate fall out.

Mayor Condrey stated that residents are complaining that dust particulates are also inside their homes, not just on cars.

Ms. Castlen asked Ms. Condrey and the board of health to please encourage these residents to call the Southwest Ohio Air Quality Agency.

Ms. Phillips Carter asked if there are any preventative measures that the air quality agency can take to prevent this from happening.

Ms. Castlen stated that the agency collects evidence and continues to work with companies on improving air quality.

Ms. Castlen stated that it is important to document these complaints. Cleveland Cliffs may be starting a Community Advisory Panel (CAP).

Mayor Condrey recommends that the CAP be open to the public.

Ms. Castlen stated that the SunCoke CAP will not be open to the public.

Mayor Condrey stated that in order for a CAP to be effective, it needs to be open to the public.

Question: Ms. Ealy asked if the companies emitting air pollutants are still offering to clean the houses and cars of those affected like they have in the past.

Answer: Ms. Castlen explained that the program is no longer required, but they do still provide services.

Feedback: Mayor Condrey stated that she does not believe it is still in place anymore.

Ms. Castlen stated that she will check and follow up with the board of health.

Mayor Condrey stated that if it is, it needs to be communicated to citizens because they do not know about it.

Ms. Castlen stated that Cleveland Cliffs has been very responsive and proactive with working with the agency.

#### Executive Session

Executive session was called under the authority of O.R.C. 121.22 (G)(1) to consider the appointment, employment, dismissal, discipline, promotion demotion, or compensation of a public employee or official.

**Motion:** Ms. Kurtz moved, seconded by Ms. Kash to move to executive session at 8:13 am.

**Roll call vote:** Yes-7 (Bonnell, Davis, Lolli, Kash, Kurtz, Patrick, Schul). No-0. Motion passed.

#### REGULAR SESSION

**Motion:** Ms. Kash moved, seconded by Ms. Davis to resume regular session at 8:24 am.

**Roll call vote:** Yes-7 (Bonnell, Davis, Lolli, Kash, Kurtz, Patrick, Schul). No-0. Motion passed.

#### OLD BUSINESS

##### COVID

Ms. Phillips Carter stated that we are still waiting for guidance on booster shots. An additional vaccine dose is approved for medical conditions and immunocompromised patients 28 days after their last shot. Health departments and providers are not permitted to ask patients what condition qualifies them for the additional dose.

Ms. Phillips Carter stated that we are currently expecting booster shots to be approved for Pfizer at the end of September, and approved for Moderna a week later. CMHD has tentative booster clinic dates set for the beginning and end of October. The clinics will be held at Middletown High School. Ms. Phillips Carter has been collaborating with the owner of the old Sear's building (Towne Mall Galleria LLC) located at Towne Mall on Towne Boulevard. CMHD will be able to hold drive thru clinics at this location in inclement weather.

Ms. Phillips Carter stated that the health department currently has a small supply of the BinaxNow home tests. These tests are proctored online and take only 15 minutes for test results.

### Discussions

Question: Mayor Condrey inquired about the email sent by Butler County General Health District Epidemiologist, Jordan Luttrell-Freeman. The email states that COVID cases continue to consistently rise. The email also states, "There have been the same amount of deaths in the month of August as there were 04/24-07/31. There have been the same amount of hospitalizations in the month of August as there were from 04/28-07/31." Mayor Condrey states that the charts included in the board of health packet do not show an increase in deaths. Mayor Condrey states that CMHD cannot require that masks be worn at board of health meetings. CMHD can strongly recommend, but not require that masks be worn.

Feedback: Ms. Carter Phillips states that CMHD will change wording to reflect masks being strongly recommended, but not required.

Ms. McDonald stated that there were no COVID deaths reported for months and we are consistently seeing an increase in death certificates filed with COVID listed as the cause of death.

Mayor Condrey stated that the board of health has only been focused on COVID while other health concerns continue to exist.

Ms. Phillips Carter stated that COVID has been the main topic of concern because it is greatly affecting so many aspects of our lives.

Mr. Schul stated that he does not think that the board of health has been over-stressing COVID. It is a pandemic. Mr. Schul continued that it bothers him that we cannot mandate the vaccine.

Ms. Kash stated that we should remember the importance of older vaccine requirements. It has never been mandated and we do have freedom of choice. We can make strong suggestions, but not rigid rules.

Mayor Condrey asked if the vaccine protects the person who receives the vaccine.

Ms. Phillips Carter stated that it protects everyone.

Mayor Condrey asked if the vaccinated can still be a carrier.

Ms. Phillips Carter stated yes, vaccinated individuals can still become infected with the virus as well as carry the virus.

Ms. Kash stated that we should look at older vaccines that have been able to successfully eradicate diseases.

Ms. Lolli stated that she would be interested in seeing if there has been an increase in the immigrant population leading to an increase in COVID cases, and wondered if they were being vaccinated.

Ms. Phillips Carter stated that the Delta variant was prominent in India and could have been imported here.

Dr. Patrick stated that the biggest problem is that people don't know who to listen to or who to believe.

Ms. Phillips Carter stated that she does not believe in mandates, but if not vaccinated, we must be safe by using mitigation strategies such as wearing masks and social distancing.

### PHAB

Ms. Phillips Carter informed the board that the PHAB Accreditation Committee has determined that additional documentation is needed for CMHD to become accredited. The accreditation decision will be deferred until documentation of conformity with the Accreditation Committee Action Requirement (ACAR) measures is submitted and reviewed by PHAB site visitors.

Ms. Phillips Carter informed the board that CMHD has one year to complete the required additional documentation, however; she would like for it to be completed by January 2022.

## NEW BUSINESS

### Travel Authorizations

None.

### 2022 Budget Discussion

Ms. Phillips Carter informed the board that between revenue and grants received, CMHD cost the City of Middletown close to zero dollars for the years 2020 and 2021. The CMHD budget always carries over year-to-year. Ms. Phillips Carter states that CMHD will continue to be very frugal, as always. The budget for CMHD is looking good for the next two to three years.

### Second Reading-MBHE Ordinance No. 2021-01-Establishing 2022 Food Fees

**Motion:** Ms. Kash moved, seconded by Mr. Schul to read MBHE Ordinance No. 2021-01-Establishing 2022 Food Fees by title only.

**Roll call vote:** Yes-5 (Davis, Lolli, Kash, Patrick, Schul). No-0. **Motion passed.**

Mayor Condrey stated that the order of readings and public hearing is confusing.

## REPORTS

### Health Commissioner

Ms. Phillips Carter informed the board that CMHD will be pursuing the Workforce Development Grant. The Workforce Development Grant will provide CMHD the opportunity for additional learning and education for staff members as well as the addition of contracted staff.

### Medical Director

Ms. Corbin presented the August Communicable Disease Report to the board.

Chlamydia infection	20
COVID-19	539
Gonococcal infection	8
Hepatitis A	1
Hepatitis B	2
Hepatitis C	6
Legionellosis	1
Streptococcal-Group A-invasive	1

### Director of Nursing

Ms. Corbin stated that 458 cases of COVID have been reported in the first 13 days of September with an average of 36 new cases reported each day. Ms. Corbin stated that there have been five cases of re-infection (defined as occurring six months after initial infection) since the beginning of September. Ms. Corbin stated that the vast majority of cases reported are among the non-vaccinated population.

**Discussions**

Question: Ms. Kash asked if there were certain populations that have higher rates of not being vaccinated, such as the homeless population.

Answer: Ms. Corbin stated that there are not a lot of cases amongst the homeless population being reported, however; there is a high number of 20-year-olds to 45-year-olds that remain unvaccinated and there is a higher instance of positive COVID cases being reported amongst that group.

**Environmental Director**

Ms. Ealy informed the board that there are five active court cases for failure to connect to sanitary sewer. One homeowner plead guilty to charges and was given until June 2022 to connect to sanitary sewer per the Judge's ruling. 5218 Hendrickson has connected to the sanitary sewer and abandoned their septic tank.

Ms. Ealy informed the board that Steak 'N Shake was licensed in August. CMHD has received and approved plans for the following: Taco Bout Crab, Charlie's Line Drive Thru and Barrell Burgers. Plans were received and disapproved for Eat Right (Mobile) and DC Roadhouse due to incomplete plans, CMHD will continue to work with both facilities to obtain required information.

**Discussions**

Ms. Phillips Carter stated that there have been a couple of restaurants in town that have had to close due to COVID with too many employees sick to keep the restaurants open.

Ms. Phillips Carter informed the board that Mr. Bonnell's board membership will be expiring in December of 2021. Mr. Bonnell has reapplied for the board of health and his membership sits with City Council.

**ADJOURNMENT**

The meeting was adjourned at 9:39 AM. The next meeting will be held on October 12, 2021 at 7:30 AM.



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Jacquelyn D. Phillips Carter, MPH, BSN, RN  
Secretary

Nicole Condrey, President  
City of Middletown Board of Health