



Springdale Board of Health  
February 13, 2020

Mayor Webster called the meeting to order at 7:01 p.m.

Board of Health Members

Present: Rita Hart, Lynn Jones, Dr. Ketring, James Squires

Others Present

Mayor Webster; Holly Emerson, Council representative to the Board of Health  
City Staff: Matt Clayton, Health Commissioner; Amy Ellis, Public Health Nurse

Special Presentation by Chief Thomas Wells and Lieutenant Ott on vicious animals. Dr. Ketring asked about the Springdale Police Department's enforcement of the vicious dog ordinance, what constitutes a vicious dog, and options for follow up by SPD past a dog being declared vicious. Chief Wells explained that the City has always had a strict enforcement policy toward that goal. Once an animal is considered at large, the Police Department considers the relevant facts and conducts an investigation. The vicious dog owner is typically issued a citation, which is similar to a summons for the animal at large. It is a minor misdemeanor; essentially the owner can "pay out". The owner does not necessarily need to come to court. However, the owner does have the right to come to court if they wish to dispute the Springdale Police Department's determination of their animal as a vicious dog. Chief Wells reviewed the criterion that may be used to determine that a dog is vicious. If the dog is found to be roaming at large or not under control by the owner, if the dog bites or attacks a person or another animal, or if the dog corners or attempts to 'trap' a person, the dog may be deemed a vicious dog under the Springdale Municipal Ordinance 90.15.

Chief Wells stated that before he has had many years of experience determining whether or not a dog was vicious on behalf of the Springdale Police Department. Chief Wells discussed his experience reviewing reports, viewing animals involved in dog bites, and interviewing the animal owners when deciding whether or not that animal fit the criteria under the vicious dog ordinance. Chief discussed weighing specific case facts in relation to the vicious dog ordinance criteria discussed above. Chief Wells discussed SPD's protocol of sending a letter to the owner by certified mail or personally serving the letter to the residence of the person who owned the dog. Chief Wells described the letter that would be hand delivered, which essentially outlined that the dog owner was required to carry insurance, required to take the necessary measures to ensure that the animal is unable to leave the yard, etc. The Springdale Police Department would as a matter of protocol conduct follow up visits to the house of the owner to insure that the steps as required were being taken; e.g., quarantine of the animal. Chief Wells further stated that this has been an evolutionary process. When Chief Wells first started working on this program, it was normally just sending the person a letter stating the determination. The process evolved to allow the person being served the vicious dog letter having the opportunity to have the determination reviewed in court. The challenge by the dog owner, if desired, can be conducted in Springdale Mayor's Court. Chief

Wells explained that if the dog owner requests a hearing in Mayor's Court it is incumbent upon them to present evidence to the court which would demonstrate that their dog is not vicious. Chief Wells advised the representative from SPD would then present the City's side of the case to the Magistrate. Following the presentation of facts by both sides, the Magistrate of the Mayor's Court would then make a decision on whether or not to affirm the Springdale Police Department's vicious dog determination. Once that occurs, then follow up "spot checks" occur as well as the status of insurance, etc. Chief Wells stated that over the time that he was doing this, it evolved from simply sending out a letter to making sure that the Police Department has the animals' names, since residents are allowed to have two animals. Chief Wells stated that there was one case that involved an animal on Dimmick Avenue, where the dog had been deemed vicious in 2017. Since the dog was already declared vicious in previous years, it was not necessary to revisit this determination with a letter or notification. When a more recent dog bite involving this previously declared vicious dog occurred, the owners were charged not only with "animal at large", but also a violation of the vicious dog ordinance. Mrs. Emerson asked why, after multiple bite incidents, was the dog not removed from the property or euthanized? Chief Wells stated that the Springdale vicious dog ordinance gives the court the authority to require a dog to be removed or euthanized under repeat dog bite occurrences post determination of vicious dog status. While the court can order that the dog be removed, in this particular situation involving the dog on Dimmick, the animal owner decided to remove the dog independently of the court's decision. Chief Wells stated that the owners actually went to trial on that case and they ended up pleading guilty to both charges; the animal at large and vicious dog charge. The animal owners were fined \$300. Mrs. Emerson asked if in this particular situation the animal owners technically had the right to keep the dog. Chief Wells indicated that at minimum the dog would be required to stay in the yard or in quarantine, be muzzled when taken in public, and that the dog owner must maintain the required liability insurance. Chief Wells stated that a vicious dog could stay on the owners property if the above circumstances were maintained by the dog owner unless the Magistrate specifically made the determination that the dog should be removed or euthanized.

While the Police Department represents the totality of the situation, it is ultimately the Court's decision in order for due process to be effective. Dr. Ketring asked how long Chief Wells had been dealing with the animal issues. Chief Wells stated that he has been dealing with the animal issues for the past nine years. Since he has become Chief, this responsibility has now been handed over to the Community Service Office. Dr. Ketring noted that prior to ten years ago, there were very specific definitions as to what are considered vicious and dangerous dogs which included dog breed. Chief Wells stated that "breed specific" is no longer included. The vicious dog ordinance does not include "micro-chipping" the animal. It is possibly included in the "animal at large" ordinance. The original law was passed in 1984 with revisions occurring in July, 2005. Mrs. Jones asked if there were any rules as to the number of bites allowed before the Springdale Magistrate would automatically make a ruling about whether or not the vicious dog must be removed from the property or euthanized. Chief Wells stated that while the ordinance does not address a specific number of incidents, once an animal is deemed vicious, the Springdale ordinance does address the specific methods the court can use to deal with 'repeat offenders'. Chief Wells explained that for instance, a Magistrate could order an animal destroyed or removed. Chief reiterated that this is something that the court decides once the animal is deemed to be a vicious dog, strictly based on the three-point criteria. Chief Mathis indicated that once the ruling is established, then the court has latitude as far as what they decide to do on any subsequent violations. Mrs. Hart asked if there is a protocol as to how soon a case like this would go to court. Chief Wells stated that the notice is sent out once the

investigation is completed and then the owner of the animal has 30 days to register with the court to contest it.

Mrs. Hart asked if there is anything that can be done before the 30 days. Chief Wells stated that if it was an animal that was a greater concern, they could possibly contact the SPCA to keep the animal housed, but it is not something that the Police Department can automatically do. Mr. Clayton stated that there is an automatic quarantine time set in place when an animal bite occurs of ten days. Mr. Clayton advised that after the quarantine period, the animal owner must either provide proof of prior vaccination of the animal in question or have the animal vaccinated post quarantine. The animal will also be viewed post quarantine to verify that the animal is not showing visible signs of rabies. Mrs. Emerson asked about the process of an animal bite report. Mr. Clayton stated that normally, the animal bite is reported first to the Police Department. The Police Department then provides the report to the Health Department. There are some instances where an individual will go directly to the emergency room and then the Health Department will receive a copy of the report from the medical professional or healthcare facility. If the bite involves potentially vicious behavior by the animal, the Health Department will notify the Police Department.

Minutes of the December 12, 2019 and the January 9, 2020 Board of Health Meeting

Minutes of the December 12, 2019 Board of Health meeting were considered. Dr. Ketring made a motion to accept the minutes of the December 12, 2019 meeting; Mrs. Jones seconded. The minutes were accepted unanimously.

Minutes of the January 9, 2020 Board of Health meeting were considered. Dr. Ketring made a motion to accept the minutes of the January 9, 2020 meeting; Mrs. Jones seconded. The minutes were accepted unanimously.

City Council Report

Mrs. Emerson gave the City Council Report.

**January 8, 2020**

**January 15, 2020**

Ordinance No. 04-2020

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 153 OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO

This was the second reading and also had a Public Hearing. That passed with a 7-0 vote.

Ordinance No. 05-2020

**AN ORDINANCE AMENDING SECTIONS 32.05 (E) (1) AND (7) OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO AND DECLARING AN EMERGENCY**

Currently, full-time employees of the city of Springdale are not permitted to use vacation days in their first year of employment. The City has sought ways to attract qualified lateral candidates for positions with the City's Police and Fire Departments. The Administration is requesting that it be amended to allow employees hired laterally into the Police or Fire Departments to utilize vacation accrued from their prior years of public service employment during their first year of service with the City. That passed with a 7-0 vote.

Ordinance No. 06-2020

**AN ORDINANCE CREATING SECTION 32.05 (F) OF THE CODIFIED ORDINANCES OF THE CITY OF SPRINGDALE, OHIO AND DECLARING AN EMERGENCY**

New employees of the City of Springdale are not currently permitted to use vacation days in their first year of service with the City. To aid in the recruitment and retention of department head level staff, the administration is requesting the creation of Section 32.05 (f) to allow the Mayor to have the discretion to allow department head level employees of the City of Springdale to use vacation time during their first year of employment. That passed with a 7-0 vote.

Resolution No. R3-2020

**COMMENDING MICHAEL H. MATHIS FOR HIS LONG, DISTINGUISHED AND DEDICATED SERVICE TO THE CITY OF SPRINGDALE**

That passed with a 7-0 vote.

**February 5, 2020**

While there was no legislation at this meeting, there was an introduction of two new employees. Carl Lamping, Chief Building Official of the Springdale Building Department and Andy Kuchta, Economic Development Director. There was also a presentation by Whitney K. Vickers, a Recruiting Assistant for the 2020 Census Bureau.

Old Business

Mr. Clayton discussed issues and questions that were raised at the previous Board of Health meeting regarding smoke detectors in hotel rooms. Mr. Clayton talked to Chief Fire Inspector, Tom Lindsey. Mr. Clayton included in the Board of Health packet, answers he received to questions that he asked Tom Lindsey regarding smoke detectors. There were several items that were addressed. Inspector Lindsey stated that there are currently no regulations at the state or local level that require hotels to place guards over smoke detectors. If the City decided to require this, the Springdale City Council would need to pass a local ordinance. Mr. Clayton further asked if the state fire code would allow for a local ordinance. Inspector Lindsey stated that local ordinances can be stricter than the state fire code, but not less stringent. If something like this would pass, it would not directly impact the Springdale Fire Department's inspections. The Fire Department currently inspects common areas. The inspection of guest rooms is conducted by

the Springdale Health Department and the Ohio Fire Marshall's office. Hotel operators are currently required to maintain the smoke detectors in the rooms. If a smoke detector is noticed inoperable, it is the responsibility of the hotel operator to repair or replace the detector. It becomes more challenging to check the rooms if there is an extended stay tenant. While newer smoke detectors report back to a central system, most of the current hotels in Springdale have smoke detectors in the guest rooms that do not report to the fire panels. Heat detectors in the mechanical rooms and common areas do report to the fire panels. Discussion continued regarding smoke detectors and the information provided by Inspector Lindsey. It was suggested that Mr. Clayton bring up the discussion of smoke detectors at the next Hotel/Motel meeting.

New Business

- None

Health Commissioner's Report

Matt Clayton

**Nuisances, Animal Bites, and Food Illnesses** - Mr. Clayton provided a summary of complaints since the last meeting; individual complaints were included in the Board of Health packet.

Mr. Clayton discussed Complaint # 2364 – While the complaint form was incomplete, Mr. Clayton did give an update on this complaint.

Complaint # 2350 – Was an unconfirmed complaint

Complaint # 2352 – Potential hoarding situation, but were cleaning out garage

Complaint # 2357 – Potential foodborne illness, but was actual discovered to have originated at another restaurant

Complaint # 2366 – Water main break. Delay in final repairs due to not being able to get parts to repair over the weekend. All items repaired.

Complaint # 2362 – Lack of glove use

Complaint # 2363 – Food not up to temperature on buffet

**Resolution R1-2020**

Mr. Clayton stated that temporary food license fees needed to be amended.

Resolution No. R1-2020

A RESOLUTION OF THE SPRINGDALE BOARD OF HEALTH AMENDING BOARD OF HEALTH REGULATION R1-2019 WHICH ESTABLISHED FEES FOR FOOD SERVICE OPERATIONS, RETAIL FOOD ESTABLISHMENTS, VENDING MACHINE LOCATIONS, TEMPORARY FOOD OPERATIONS, AND MOBILE FOOD OPERATIONS WITHIN THE CITY OF SPRINGDALE; AND ESTABLISHED FEES FOR FOOD SERVICE OPERATION AND RETAIL FOOD ESTABLISHMENT PLAN REVIEWS AND TO DECLARE AN EMERGENCY

Mrs. Jones made a motion to read by title only; Mr. Squires seconded the motion. Motion to read by title only unanimous.

Mrs. Jones made a motion to adopt Resolution No. R1-2020; Mrs. Hart seconded the motion. Motion to adopt Resolution No. R1-2020 passed unanimously.

**P.H.A.B. Accreditation -**

PHAB site visit has been scheduled for May 14-15, 2020. Mr. Clayton stated that as the site visit gets closer, he will provide the Board of Health members additional details as they become available. Mr. Clayton discussed the opportunity for Board of Health members and community leaders to meet with the PHAB Site Visit Team and provide information regarding health programs and interactions. Mr. Clayton indicated there had been as of yet no requests from the PHAB site visit team for additional documents.

**Food Facility Plan Review Approvals**

Mr. Clayton received an updated list from Ella Jergens of plan approvals for several locations. La Islas Marias, at the former Beef O'Brady's location has completed their plan approval. It is close to opening, but possibly waiting for final approval from MSD for grease trap. Becca's Deli, a mobile, has also completed their plan approval. Caraba's, former location of Domino's, has had their plan approval denied and resubmission is pending. Oasis Nutrition, which is located at the Kemper Pond office complex has their plan approval pending at this time. El Oasis Mexican Grille (former location of Mi Lindo Nayarit) has plan revisions pending. Mi Tierra Supermarket has been approved for the addition of a bar area in the food service portion of their facility. Wing Stop, which is located a few doors down from Tortilleria Garcia in the Wimbledon Plaza, is pending. There are differences in plans that were submitted and the specification sheets. Calvary Daycare has had their plans approved, they are still awaiting final approval from the State. Crafty Crab is now open.

**Produce Pop Ups**

Most recent Produce Pop Up was held on January 24, 2020. Next Produce Pop Up is scheduled for Friday, February 28, 2020 at 9:00 a.m. at Heritage Hill Elementary School. Around 200 families are being served at the monthly Produce Pop Up. There is an alternate Produce Pop Up being held at the Willows Family Resource Center. With this event also occurring, families have the opportunity to get produce every two weeks. MediSync has also shown interest in having food drives in order to help provide non-perishable food items for these families.

**Springdale Quality of Life Improvement Committee**

Spring Sports Camp planning is currently underway. The camp will be held March 23<sup>rd</sup> through March 27<sup>th</sup>, 2020. Planning meetings have already been held on January 17<sup>th</sup> and January 31<sup>st</sup>. The next planning meeting will be held on Friday, February 14<sup>th</sup>. The Walmart Foundation has donated \$2,000. Humana has also agreed to donate \$3,000. Target also sent Mr. Clayton confirmation that they will donate a \$500 gift card. Breakfast and lunch will be provided through the school cafeteria for Monday through Thursday and Friday John Morrell's Hot Dog Truck will be out, Chick-fil-A will provide 125 chicken sandwiches and the cow mascot. The Bengals Who Dey mascot will be out again this year. The plan is to have 125 children at the camp from grades 1-5 this year. The last day of camp will be a field day and family celebration. Accordingly, we anticipate a larger crowd.

### **Springdale Health Presentation at The Calvary Academy**

Matt Clayton and Ella Jergens provided the "Go-Slow-Whoa" presentation on nutrition on January 23, 2020. Nurse Ellis provided great information for this informative presentation. The children were responsive; the presentation was well received.

### **Public Health Training in Springdale**

The Public Health Training has been scheduled for April 15<sup>th</sup> and April 16<sup>th</sup> at the Springdale Community Center. Training will be provided by several departments. Ohio Department of Health, Ohio Department of Agriculture, The Ohio State University Center for Public Health Practice will be providing training. OSU CPHP will provide a two hour continuous quality improvement training, which Springdale Health has encouraged Springdale employees from all departments to consider. Butler County Health will be providing their epidemiologist, emergency response coordinator, and food director to discuss how they addressed Hepatitis A. Bryce Kier from ODH, who is a specialist on legionella and harmful algal blooms will provide training on responding to a Legionella outbreak. LeeAnne Wilson from ODH will also be discussing updates to body art rules for tattoo facilities. The second day training topics will all be related to food safety. A representative from the Department of Agriculture and the Ohio Department of Health will provide the day two training as a team. The ODH Sanitarian Board has approved 13 training hours (CEU's) for the Springdale Health Department training at the Springdale Community Center.

### **Novel Coronavirus**

While Nurse Ellis will be providing further information regarding this issue, Mr. Clayton wanted to state recent items that the Springdale Health Department and the Springdale Fire Department are developing to help prevent further spread of the disease. ODH wrote a policy based on a recommendation that came out of the Springdale Health Department. Nurse Ellis of the Springdale Health Department and Captain Sarver of the Springdale Fire Department suggested that policy. The Springdale Health Department asked the Hamilton County Communication Center to screen people who are calling in with respiratory distress if they have travelled to China in the last 14 days. The Springdale Health Department provided that information to the Hamilton County Health Department and asked for feedback from the medical directors from the epidemiologist and also from their emergency response and then we asked them to forward it on to Hamilton County Communications Director. Hamilton County Communications Director recognized it, and agreed to do that, so, it became regional, and then it got sent up the ladder to the state and the state health department made it a recommendation, and sent it out statewide and asked communication centers to screen for travel to China when there is a call regarding respiratory distress. Mr. Clayton wanted to recognize Nurse Ellis and Captain Sarver for being responsible for this recommendation coming to fruition.

Public Health Nurse's Report

Mrs. Ellis, RN

### **Hamilton County Monthly Communicable Disease Surveillance Report**

Nurse Ellis passed out the report to the Board members. It was not previously available in order to be included in the Board of Health packets. On page four, Nurse Ellis referred to statistics that showed last year's results versus this year's so far. Flu has definitely increased. In January 2019, there was 90 cases of hospitalized flu. This year, there has been 227 cases of hospitalized flu. Nurse Ellis indicated that the only flu cases that are reported are the cases of hospitalized flu, or a pediatric death. Syphilis was 29 cases in January 2019 and has increased to 42 cases by January 2020. Hepatitis A has shown a decrease

from 30 cases in January 2019 to ten in January 2020. Nurse Ellis included the CDC (Center for Disease Control) Health Advisory on influenza activity across the state and Hamilton County as well. Mr. Clayton also posted to the City of Springdale's Facebook page information regarding the Coronavirus as well as how to protect against the flu. Flu COVID-19 information was also emailed to schools, daycares in regards as to prevention, cleaning, and disinfection. The World Health Organization (WHO) has changed the name of the coronavirus to COVID-19; **CO** (Corona), **VI** (virus), **D** (disease) **19** (year it was identified). While this is not the first coronavirus to be discovered, COVID-19 is a new one. Nurse Ellis noted that when parents have been taking their children in to get tested for the flu, in some cases, coronavirus might show up on their results. Understandably, this would cause alarm for parents and create some confusion, but, this was simply a different version of coronavirus; not COVID-19. Nurse Ellis gave a timeline to the Board of Health members to simplify how the disease has developed as well as when information was given to local health departments via CDC (Center for Disease Control) and ODH (Ohio Department of Health) as well as when Springdale residents were informed. Nurse Ellis further explained the impetus for precautions for the Springdale Fire Department in regards to COVID-19. While EMS does not use N-95 masks, they would use their fire gear at this time since they are not fit tested for N-95 masks. It is hoped that in the future the Fire Department will be since it would involve less equipment that the response team would have to wear because their current equipment would have to be disinfected each time that a potential flu-like resident would be visited. The N-95 masks require a trained individual to fit test their masks. Nurse Ellis stated that Mr. Clayton, and Ms. Jergens, and herself, travelled to Middletown Health Department to be fit tested for a N-95 mask. The Fire Department recently completed a fit-test of their fire equipment, but would have to wait until next year to complete a fit-test of N-95 masks. Due to the COVID-19 officially being declared a public health emergency as of January 31, 2020, ODH stated that reimbursement to local health departments would be available when any activities being completed regarding COVID-19. There was also discussion of the current mortality rate of people affected in China by COVID-19. It was noted that information is still coming in regarding COVID-19 on a daily basis.

**Hamilton County Drug Overdose Report –**

Nurse Ellis asked if there were any questions on this report. There were none. 2

**Narcan Usage Report**

Nurse Ellis discussed the results of the December report. There were three individuals that required Narcan. The January report indicates that there were two individuals that required Narcan. For further clarification, a dosage for an individual can vary anywhere between one to four milligrams. Mrs. Hart asked Nurse Ellis if the individuals receiving the Narcan were Springdale residents. Nurse Ellis stated that her report did not indicate if they were residents or not.

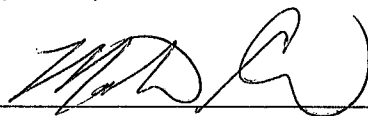


**Board of Health Discussion**

No items for discussion.

The next meeting will be Thursday, March 12, 2020 at 7:00 p.m. The Board of Health meeting adjourned at 8:46 p.m.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'M Clayton', written over a horizontal line.

Matthew Clayton, Health Commissioner

