

# RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Held \_\_\_\_\_ 20\_\_\_\_\_

## Franklin County District Board of Health Minutes of the Board of Health December 13, 2016

**Meeting Location:** Memorial Hall, South Conference Room

**Call to Order:** Dr. Lane called the meeting to order at 9:32 a.m.

**Board Members Present:**

Heather Lane, DVM  
Jack Bope, Jr.  
Jerry Lupfer  
Dr. Annemarie Sommer  
Joseph Weaver

**Board Members Absent:**

None

Miller J. Sullivan, Interim Health Commissioner/Secretary

**Staff Present:**

Mike Adair, Lead Inspector  
Lela Anthony, Receptionist  
Charlie Broschart, Division Manager, Environmental Health Program  
Jimmie Davis, Community Health and Wellness Supervisor  
Jonathon Dye, Data Analyst  
Jeff Gibbs, Division Manager, Environmental Health Program  
Garrett Guillozet, Supervisor, Food Safety Program  
Todd Hansen, Executive Assistant, Human Resources  
Terry Haughn, Plumbing Inspector  
Brooke Hughes, Infectious Disease Nurse  
Mitzi Kline, Director of Communication  
Niki Lemin, Assistant Health Commissioner/Director of Environmental Health  
Joe Mazzola, Health Systems & Planning Director  
Jennie McAdams, Business Analyst, Accreditation Coordinator  
Nathan Ralph, Supervisor, Community Environmental Health Program  
Jennifer Robinson, Human Resources Manager  
Shaddy Swade, Emergency Preparedness Supervisor  
Kadeisha Turner, Web and Graphic Designer  
John Wolf, Finance & Business Operations Director  
Debbie Wright, Assistant Health Commissioner/Director of Prevention & Wellness

**Legal Counsel:**

Joseph R. Durham, Esq., Eastman & Smith, Ltd.

**Guests:**

Mike Moran, Attorney  
Mary Ingold, Property Owner  
Roger Ingold, Property Owner

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### **Pledge of Allegiance**

Jack Bope led the Pledge of Allegiance.

### **Meeting Minutes:**

The minutes of the November 8, 2016 meeting was approved, upon a motion by Mr. Bope, with a second by Mr. Weaver. Ayes: All Nays: None – motion carried.

### **Old Business:**

Resolution 16-096 to adopt the Schedule of Fees for 2017 (3<sup>rd</sup> Reading) was approved upon a motion by Mr. Weaver with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

### **New Business:**

Health District Licensing Council – Prior to her departure Susan Tilgner provided Board Members a detailed write up of the history of the Health District Licensing Council including the change in the law in 2015 that no longer requires it (attached).

Joe Durham, Legal Counsel, provided additional information and answered questions about the law for the Board. Mr. Weaver, as the current Health District Licensing Council representative on the Board, shared that he felt there wasn't a role for the members. Mr. Weaver made a motion to dissolve the Health District Licensing Council with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Mr. Durham said he would draft a resolution for formal action at the January meeting.

### **Recognition:**

Terry Haughn, Plumbing Inspector, was recognized by Jeff Gibbs, Environmental Division Manager, for 15 years of service.

### **Administration/Public Hearings:**

Hearing 16-007 for a Variance Request – Ohio Administrative Code 3701-28-07(E), 5094 Old Groveport Road, Groveport, OH 43125 (City of Groveport, Tax District 185, Parcel Number 000874); owned by Robert and Mary Ingold; presented by Niki Lemin and Nathan Ralph.

Robert Ingold, Mary Ingold, Niki Lemin, and Nathan Ralph were sworn in by the court reporter. Ms. Lemin informed the Board of the nature of the variance request made by the property owners which is to construct a replacement private water system in the floodway. Ms. Lemin informed the Board that the City of Groveport has floodplain regulations that allow for conditional uses in the floodway.

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Their entire property, including the current water system which is collapsing is in the floodway. Ms. Lemin, Mr. Ralph, and Ms. Wolford testified as to the need for the variance and the lack of other options being available. Mr. Bope made a motion to approve the variance, Mr. Lupfer seconded the motion. Ayes: All Nays: None - motion carried.

### **Monthly Financial Report:**

John Wolf provided the Board with copies of the Budget to Actual Report and the Change in Cash Position reports. Mr. Wolf reported that with 92% of the 2016 budget year completed, Administration has spent 78% of budgeted expenditures, Prevention and Wellness 82%, Environmental 78%. Anti-Dumping 19%, Rabies 76%, Regional Public Health Infrastructure 69 %, and Construction and Demolition Debris fund 90%. Overall 78% of the 2016 operating budget has been spent with 92% of the year completed yielding a positive variance of expenditures to appropriations of 14%.

Dr. Sommer made a motion to approve the monthly financial report with a second by Mr. Weaver. Ayes: All Nays: None – motion carried.

### **Resolutions:**

Resolution 16-117 to approve monthly operating expenses was approved upon a motion by Dr. Sommer with a second by Mr. Weaver. Ayes: All Nays: None – motion carried.

Resolution 16-118 to authorize the Health Commissioner to issue the Board of Health Orders was approved upon a motion by Mr. Weaver with a second by Mr. Lupfer. Ayes: All Nays: None – motion carried.

Resolution 16-119 to authorize the Finance & Business Operations Director to request tax settlement advances for 2017 was approved upon a motion by Mr. Lupfer with a second by Dr. Sommer. Ayes: All Nays: None – motion carried.

Resolution 16-120 to adopt the 2017 Operating Budget was approved upon a motion by Mr. Weaver with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 16-121 to authorize the Health Commissioner to enter into a contract renewal with the Central Ohio Poison Center for After-Hours on call services (not to exceed \$9,000.00) was approved upon a motion by Dr. Sommer with a second by Mr. Weaver. Ayes: All Nays: None – motion carried.

Resolution 16-122 to authorize the Health Commissioner to enter into a contract with the Ohio Environmental Protection Agency (OEPA) for a Mosquito Control Grant

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SFY17 (revenue up to \$18,000) was approved upon a motion by Mr. Weaver with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 16-123 to authorize the Health Commissioner to enter into a contract with Lifecare Alliance for a Dietitian to provide nutrition education & materials at a health event through a Minority Health Month Grant (not to exceed \$420.00) was approved upon a motion by Mr. Lupfer with a second by Dr. Sommer. Ayes: All Nays: None – motion carried.

Resolution 16-124 to approve the appropriation of funds from the Restitution Fund for the Ohio Attorney Generals Annual Law Enforcement Conference attendee Richard Coyne, authorized by the Cleanup Fund Committee (not to exceed \$125.00) was approved upon a motion by Dr. Sommer with a second by Mr. Weaver. Ayes: All Nays: None – motion carried.

Resolution 16-125 to authorize the Health Commissioner to renew a contract with Marion County Health Department for Medical Reserve Corps (MRC) services (revenue of \$3,500.00) was approved upon a motion by Mr. Bope with a second by Dr. Sommer. Ayes: All Nays: None – motion carried.

Resolution 16-126 to approve the issuance of a construction and demolition debris landfill operation license, with conditions, to Scott Wrecking Company, Inc. was approved upon a motion by Mr. Weaver with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 16-127 to approve the issuance of a construction and demolition debris landfill operation license to JDM Services, LLC (dba: Frank Road Recycling Solutions) was approved upon a motion by Mr. Lupfer with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 16-128 to approve the issuance of a landfill license with the Solid Waste Authority of Central Ohio (revenue of \$2,500.00) was approved upon a motion by Mr. Lupfer with a second by Mr. Weaver. Ayes: All Nays: None – motion carried.

Resolution 16-129 to authorize the Health Commissioner to renew a contract with the Solid Waste Authority of Central Ohio for ground water monitoring (not to exceed \$5,000.00) was approved upon a motion by Mr. Weaver with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 16-130 to authorize the Health Commissioner to enter a contract with the Solid Waste Authority of Central Ohio to provide services for the Environmental Crimes Task Force of Central Ohio (revenue of \$37,264.00) was approved upon a

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motion by Dr. Sommer with a second by Mr. Lupfer. Ayes: All Nays: None – motion carried.

Resolution 16-131 to authorize the Health Commissioner to approve the issuance of a solid waste facility license (transfer station) to Waste Management, Inc. (revenue of \$750.00) was approved upon a motion by Mr. Lupfer with a second by Dr. Sommer. Ayes: All Nays: None – motion carried.

Resolution 16-132 to authorize the Health Commissioner to renew a contract with Julian & Grube, Inc. for financial services (not to exceed \$5,000.00) was approved upon a motion by Mr. Bope with a second by Mr. Lupfer. Ayes: All Nays: None – motion carried.

Resolution 16-133 to authorize the Health Commissioner to enter into a contract with the Columbus Development Department to provide lead inspections, risk assessments, written work specifications, clearance inspections, and Healthy Homes Assessments for the Lead Safe Columbus Program (revenue of \$120,000.00) was approved upon a motion by Mr. Weaver with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 16-134 to authorize the Health Commissioner to renew the contract between Vector Disease Control International, LLC and any jurisdiction that chooses to participate in FCPH's mosquito management program for a one-year contract extension through 2017 (not to exceed \$44,374.06) was approved upon a motion by Mr. Weaver with a second by Mr. Lupfer. Ayes: All Nays: None – motion carried.

Resolution 16-135 to authorize the Health Commissioner to enter into a contract with the Ohio Public Health Association to provide a public health professional to serve as a liaison for families with children with special needs in the Franklinton area (not to exceed \$26,500.00) was approved upon a motion by Dr. Sommer with a second by Mr. Lupfer. Ayes: All Nays: None – motion carried.

Resolution 16-136 to authorize the Health Commissioner to enter into a contract with the Ohio Public Health Association to provide a public health professional to serve as a Project Coordinator for a Tobacco Use Prevention and Cessation project (not to exceed \$20,500.00) was approved upon a motion by Mr. Weaver with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 16-137 to approve purchases was approved upon a motion by Mr. Weaver with a second by Mr. Lupfer. Ayes: All Nays: None – motion carried.



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## **Personnel Actions**

Jennifer Robinson, Human Resources Manager presented the following personnel actions for Board approval:

New hires – Ryan Wilkins, Seasonal Plumbing Inspector, Effective December 5, 2016; Kevin Craig, Registered Sanitarian, Water Quality, Effective December 29, 2016; and Sara Jones, Medical Reserve Corps Coordinator, Part-time, Effective date: January 3, 2017.

Job Openings - Children with Medical Handicaps (CMH) Nurse (Post in January) and Accounting Clerk (post in January); Infectious Disease Nurse and Sanitarian Supervisor.

Mr. Weaver made a motion to accept the Personnel Actions with a second by Mr. Bope. Ayes: All Nays: None - motion carried.

**Environmental Health Report:** (Attached)

**Prevention & Wellness Report:** (Attached)

**Health Systems & Planning Report:** (Attached)

**Administration Report:** (Attached)

**Health Commissioner & Medical Director Report:** Dr. Sullivan shared that he has been meeting with Senior Staff and continues orient himself to his duties as Interim Health Commissioner. He also talked about the City of Columbus passing a Tobacco to 21 Ordinance and shared that laws such as these do have an impact on preventing youth from starting to smoke. He reminded the Board that four of our cities had already passed Tobacco to 21 ordinances over the past year or two.

## **Legal Counsel's Report:**

Mr. Durham reported that the appeal Rancho Alegre, LLC, filed in the Court of Common Pleas has not been dismissed. He talked with the attorney who represented the establishment at the hearing who told him he had withdrawn. Mr. Durham has filed the records required for the appeal hearing with the Court.

## **Executive Session:**

Resolution 16-138 to convene into Executive Session to consider the appointment, employment, dismissal, discipline or compensation of an employee or the

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investigation of charges or complaints against a public employee unless the employee requests a public hearing was approved, upon a motion by Mr. Lupfer with a second by Mr. Bope. Roll Call: Dr. Lane, Aye; Dr. Sommer, Aye; Mr. Bope, Aye; Mr. Lupfer, Aye; Mr. Weaver, Aye - motion carried.

A motion was made by Mr. Weaver and seconded by Mr. Bope to reconvene the meeting at 11:33 a.m. Roll Call: Dr. Lane, Aye; Mr. Bope, Aye; Mr. Lupfer, Aye; Mr. Weaver, Aye - motion carried. Dr. Sommer departed the meeting prior to reconvening.

The Board has authorized the Health Commissioner to work with legal counsel with the assistance of the Prosecuting Attorney's Office to negotiate a last chance agreement. Mr. Durham stated that the employee and her attorney were in agreement with the terms to negotiate the last chance agreement and agreed to remain on unpaid leave until the agreement is brought back before the Board in January.

The Board went back into executive session at 11:43 to consider compensation of an employee. Mr. Weaver with a second by Mr. Lupfer Roll Call: Dr. Lane, Aye; Mr. Bope, Aye; Mr. Lupfer, Aye; Mr. Weaver, Aye - motion carried.

The meeting reconvened at upon a motion by Mr. Bope and a second by Mr. Lupfer. Roll Call: Dr. Lane, Aye; Mr. Bope, Aye; Mr. Lupfer, Aye; Mr. Weaver, Aye - motion carried. Mr. Lupfer moved to approve a \$10,000.00 one-time lump sum bonus payment and/or severance payment, which are all excluded from the PERS definition of earnable salary for former Health Commissioner, Susan Tilgner. The motion was seconded by Mr. Bope. Ayes: All Nays: None - motion carried.

Adjourn regular meeting, 12:12 p.m.

Respectfully submitted,



Dr. Heather Lane, President



Dr. Miller J. Sullivan, Secretary