

Franklin County Public Health
RECORD OF PROCEEDINGS

Minutes of

Meeting

FEB 14 2017

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Held

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**Franklin County District Board of Health
Minutes of the Board of Health
Tuesday, January 10, 2017**

Meeting Location: Memorial Hall, South Conference Room

Call to Order: Dr. Lane called the meeting to order at 9:30 a.m.

Board Members Present:

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

Board Members Absent:

None

Dr. Miller Sullivan, Interim Health Commissioner/Secretary

Staff Present:

Mike Adair, Healthy Homes Program Manager
Terry Bugg, Immunization Supervisor
Alycia Burkitt, Administrative Assistant
Jimmie Davis, Community Health and Wellness Supervisor
Michelle Day, Health Communication Specialist
Jonathon Dye, Data Analyst
Jeff Gibbs, Division Manager, Environmental Health
Garrett Guillozet, Supervisor, Food Safety Program
Radhika Iyer, Infectious Disease Supervisor
Sara Jones, MRC Coordinator
Rebecca Keller, Food Safety Inspector
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
Meghan O'Brien, Community Health Planner
Miller Sullivan, MD, Medical Director
Shaddy Swade, Emergency Preparedness Supervisor
Stacie Williamson, CMH Supervisor
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:

Gary Gillett, Attorney
Manual Tovan, Restaurant Manager

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Pledge of Allegiance

Dr. Lane led the Pledge of Allegiance.

Meeting Minutes:

The minutes of the December 13, 2016 meeting was approved, upon a motion by Mr. Bope, with a second by Mr. Weaver. Ayes: All Nays: None – motion carried.

Old Business:

None.

New Business:

None.

Recognition:

Bob Weber, Plumbing Inspector, was recognized by Jeff Gibbs, Environmental Division Manager, for 25 years of service.

Administration/Public Hearings:

Hearing 17-001 for a Food Service Operation License Suspension or Revocation Hearing for Los Mariachis of Groveport, LLC (License: NFRY-9C35XU), 296 Main Street, Suite C, Groveport, OH 43125, Licensee: Luis A. Cruz; presented by Niki Lemin and Garrett Guillozet.

Franklin County Public Health staff Niki Lemin, Garret Guillozet, Radhika, Iyer, and Rebecca Keller all stood and were sworn in by the court reporter when requested. Gary Gillett and Manual Tovan also stood to be sworn in when the court reporter requested. Mr. Gillett withdrew the motion for continuance due to absence because he was able to attend today's meeting. Dr. Lane asked for an opening statement from staff. Ms. Lemin provided a general overview of the events leading to this hearing for license suspension or revocation for Los Mariachis of Groveport, LLC. Dr. Lane asked for an opening statement from Mr. Gillett. Mr. Gillett related more detailed information regarding the events leading to this hearing for license suspension or revocation for Los Mariachis of Groveport, LLC. Dr. Lane asked staff to present their case. Mr. Guillozet provided detailed testimony of the history of violations over the last year (see full details in attached packet) and formally requested a 10 day suspension of the food service license. Dr. Lane asked Mr. Gillett to present a case on behalf of Los Mariachis. Mr. Gillett disputed the claims against his client and the restaurant. Ms. Keller was asked to recall the events of a specific occasion called into question by Mr. Gillett. Mr. Tovan was also asked to recall the events of the occasion and gave his testimony using an interpreter provided by the Health Department. The Board took a recess to consider the testimony. Once the meeting reconvened, Mr. Weaver made a motion to suspend the license for 6 days

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and stated they could not reopen until our staff inspected on Monday, January 16, 2017 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 Administration has spent 84% of budgeted expenditures, Prevention and Wellness 89%, Environmental 84%. Anti-Dumping 19%, Rabies 80%, Regional Public Health Infrastructure 70 %, and Construction and Demolition Debris fund 90%. Overall 84% of the 2016 operating budget has been spent with 92% of the year completed yielding a positive variance of expenditures to appropriations of 16%.

Mr. Wolf also provided a copy of the 2016 year cash balances, receipts and expenditure to the Board. The report was submitted to the County Auditor on January 3rd which provides beginning balance at January 1, 2016, all receipts and disbursements for 2016 and the cash balances as of December 31, 2016.

He also reminded the Board that there will be a finance committee meeting next month at 8:30 in the East Conference Room on the 1st floor of Memorial Hall.

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

Resolutions:

Resolution 17-001 to approve monthly operating expenses was approved upon a motion by Mr. Weaver with a second by Mr. Lupfer. Ayes: All Nays: None – motion carried.

Resolution 17-002 to authorize expenditure of funds for the purpose of the 2017 Franklin County District Advisory Council Meeting (not to exceed \$3,000.00) was approved upon a motion by Mr. Bope with a second by Mr. Lupfer. Ayes: All Nays: None – motion carried.

Resolution 17-003 to authorize the Health Commissioner to amend a contract with the Gordon Flesch Company for a multi-function copier lease agreement and monthly maintenance (not to exceed additional expense of \$512.00) was approved upon a motion by Mr. Lupfer with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 17-004 to amend the 2017 operating budget was approved upon a motion by Mr. Lupfer with a second by Mr. Weaver. Ayes: All Nays: None – motion carried.

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Resolution 17-005 to amend the Franklin County Public Health Fiscal Manual (D-0012) was approved upon a motion by Mr. Weaver with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 17-006 to authorize the Health Commissioner to renew a contract with the Ohio Public Health Association for temporary fiscal program support (not to exceed \$5,000.00) was approved upon a motion by Mr. Weaver with a second by Dr. Sommer. Ayes: All Nays: None – motion carried.

Resolution 17-007 to renew a contract with Joseph R. Durham, Eastman & Smith, Ltd., for legal services (not to exceed \$48,000.00) was approved upon a motion by Dr. Sommer with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 17-008 to dissolve the Health District Licensing Council was approved upon a motion by Mr. Lupfer with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 17-009 to authorize the Health Commissioner to enter into a contract with Mike Tedrick, RS, to provide food safety education courses on behalf of Franklin County Public Health (not to exceed \$25,000.00) was approved upon a motion by Dr. Sommer with a second by Mr. Weaver. Ayes: All Nays: None – motion carried.

Resolution 17-010 to authorize the Health Commissioner to amend 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 (additional revenue of up to \$68,150.00) was approved upon a motion by Mr. Weaver with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

Resolution 17-011 to authorize the Health Commissioner to renew a contract with Clarity Consultancy Services to assist FCPH Staff with the application of collective impact best practices (not to exceed \$22,000.00) was approved upon a motion by Dr. Sommer with a second by Mr. Lupfer. Ayes: All Nays: None – motion carried.

Resolution 17-012 to authorize the Health Commissioner to enter into a contract with Youth to Youth for tobacco cessation activities as part of the Tobacco Use Prevention and Cessation Project (not to exceed \$70,000.00) was approved upon a motion by Mr. Weaver with a second by Mr. Bope. Ayes: All Nays: None – motion carried.

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Resolution 17-013 to approve purchases was approved upon a motion by Mr. Bope with a second by Dr. Sommer. Ayes: All Nays: None – motion carried.

Personnel Actions

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

New hires – Adrian Allen, Sanitarian-in-Training – Water Quality Program, Effective January 23, 2017.

Job Openings – Accounting Clerk; Children with Medical Handicaps (CMH) Nurse; Health Educator; 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 continues duties as Interim Health Commissioner and appreciates all staff do to keep things on track. He also talked about the increase in virus strains that do not have resistant to standard antibiotics and encouraged everyone to receive the flu vaccine.

Dr. Sullivan noted that the CDC's annual survey for self-reported middle and high school student's tobacco use has been released. Tobacco is number one cause of early deaths in adults. They estimate that 5 million youths that start to use tobacco will die an early death due to tobacco use. Passing the Tobacco to 21 Ordinance and laws such as these do have an impact on preventing youth from starting to smoke.

Legal Counsel's Report:

Mr. Durham reported that the appeal Rancho Alegre, LLC, filed in the Court of Common Pleas has been dismissed.

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Executive Session:

Resolution 17-014 to convene into Executive Session to consider the appointment, employment, dismissal, discipline or compensation of an employee or the 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 12:12 p.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.

Mr. Weaver made a motion to approve the last chance agreement between Lela Anthony and Franklin County Public Health as written and to add a signature line and authorize Jennifer Robinson, Human Resources Manager, to sign on behalf of the Board. Mr. Lupfer seconded the motion. Ayes: All Nays: None - motion carried.


Mr. Lupfer made a motion that Joe Mazzola be named the new Franklin County Health Commissioner effective immediately at an hourly rate of \$48.08. Mr. Weaver seconded the motion. Ayes: All Nays: None - motion carried.

Bope 

Adjourn regular meeting, 12:30 p.m.

Respectfully submitted,


Joseph Weaver, Vice President


Dr. Miller J. Sullivan, Secretary