

RECORD OF PROCEEDINGS

Minutes of

Meeting

Franklin County Public Health

BEAR GRAPHICS 800-325-8094 FORM NO. SHTROP11

Journalized on:

Held

DEC 12 2017

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Franklin County District Board of Health Minutes of the Board of Health Tuesday, November 14, 2017

Meeting Location: Memorial Hall, South Conference Room

Call to Order: Mr. Bope called the meeting to order at 9:44a.m.

Board Members Present:

Roy Barnewall, DVM, PhD
Jack Bope Jr.
Arthur James, MD, FACOG
Jerry Lupfer
Tom Rudge, PhD

Joe Mazzola, Secretary

Board Members Absent:

Staff Present:

Charlie Broschart, Environmental Health Division Manager
Garrett Guillozet, Food Safety Supervisor
Andrea Harless, Executive Assistant
Jennifer Frazier, Community Environmental Health Supervisor
Radhika Iyer, Infectious Disease Supervisor
Mitzi Kline, Director of Communication
Niki Lemin, Assistant Health Commissioner/Director of Environmental Health
Nathan Ralph, Water Quality Supervisor
Jennifer Robinson, Human Resource Manager
Miller Sullivan, MD, Medical Director
John Wolf, Finance & Business Operations Director
Debbie Wright, Assistant Health Commissioner/Director of Prevention & Wellness
Ashira Vantrees, CRI Coordinator
Robert Sealock, Water Quality Inspector
Terry Bugg, Immunization Supervisor
Eva Wollerman, Emergency Preparedness Supervisor
Olivia Burton, Injury Prevention Coordinator

Legal Counsel:

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

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Guests:

Jeff Mirgon, President, Compass Construction
Melissa Moomaw, Registered Nurse, Otterbein University

Pledge of Allegiance

Mr. Lupfer led the Pledge of Allegiance.

Meeting Minutes:

The minutes of the October 10, 2017 were approved, upon a motion by Dr. James, with a second by Dr. Rudge. Ayes: All Nays: None – motion carried.

Old Business:

Resolution 17-119 to adopt the schedule of fees for food service establishments and food service operations for the 2018 licensing year, to become effective on the date of the third reading, December 12, 2017 (2nd Reading, Public Hearing). No testimony **but program staff requested that the effective date be January 1, 2018 in lieu of December 12, 2017 as written.**

Hearings:

Hearing 17-006 for a Board Order appeal, Ohio Revised Code Chapter 3718, 7670 Fishel Road South; Dublin, OH 43016; Washington Township; Tax District 272, Parcel #000596; Compass Construction Inc. (property owner) Michael L. Chambers (statutory agent)

Niki Lemin, Robert Sealock, Nathan Ralph, and Jeff Mirgon were sworn in by the court reporter.

Niki Lemin explained that the system at 7670 Fishel Rd was installed improperly by an unregistered installer. Last month, a Board Order was given to correct the problem in 30 days. Mr. Mirgon has asked to appeal this Board Order. A September 14th soils analysis has confirmed that another soil based system cannot be installed. Communication with the Ohio Environmental Protection Agency will be required to get a proper system. Ms. Lemin asks that the Board uphold their October 10th decision or give Mr. Mirgon more time to secure EPA permits and install the correct system.

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Nathan Ralph shared that the work was done illegally, both the system installed and the manner of which it was installed. He stated that it has been indicated and explained to Mr. Mirgon that a new system cannot be installed.

Ms. Lemin explained that even if this work was done by an approved installer it was still not an approved method as replacement lines were placed on top of current system lines.

Jeff Mirgon asked the Board for more time. The system is not discharging raw sewage. There was only a modification made to the leach bed. He has been in contact with the EPA and they are sending him a list of civil engineers to do the proper work. When the system was installed, he was unaware it was improper.

Dr. James asked how much more time he will need. Mr. Mirgon stated he is waiting for the list from the EPA and then will need time to install the holding tank to be in compliance but this cannot be done in 30 days.

Ms. Lemin stated she is comfortable with the Board allowing more time and her recommendation would be allow 90 days from today.

Dr. Rudge asked if there are any environmental impact issues with the current system.

Mr. Ralph said there are not and he concurs with Ms. Lemin that as long as they see movement he is also fine with the extension.

Mr. Lupfer asked if there was room to install a soils based system.

Mr. Ralph explained there is not room and also the nature of the soil is restrictive which is why they will need a holding tank.

Ms. Lemin explained a sanitary sewer is not accessible which is why the EPA is the only option. We will still inspect the system but the EPA must handle the permit.

Mr. Mirgon stated that the EPA said they will only help him find an engineer but FCPH will still handle the permit.

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Ms. Lemin will assist with clarification on this but the Ohio Administrative Code does not allow local health departments to permit the type of system Mr. Mirgon needs.

The Board upheld its order for Mr. Mirgon to replace the system and gave a 90 day extension upon a motion by Mr. Lupfer and a second by Dr. Rudge. Ayes: All Nays: None – motion carried

New Business:

Resolution 17-126 to approve monthly financial report and operating expenses was approved upon a motion by Mr. Lupfer with a second by Dr. Rudge. Ayes: All Nays: None – motion carried

Resolution 17-127 to authorize the Health Commissioner to issue the Board of Health Orders (1 sewage nuisance, 2 property nuisance) was approved upon a motion by Mr. Lupfer with a second by Dr. Rudge. Ayes: All Nays: None – motion carried

Resolution 17-128 to authorize the Health commissioner to enter into a lease agreement with Konica Minolta for a multifunctional copier/printer/scanner and maintenance agreement (expense of \$9,517.32) was approved upon a motion by Dr. Rudge with a second by Dr. James. Ayes: All Nays: None – motion carried

Resolution 17-129 to authorize the Health Commissioner to enter into contracts with the Ohio Department of Health and subcontracting agencies for the Community Cessation Initiative grant (revenue of \$523,534.00) was approved upon a motion by Dr. Rudge with a second by Dr. Barnewall. Ayes: Four Nays: None Abstention: Dr. James – motion carried

Resolution 17-130 to endorse the release of the 2017-2019 Franklin County Community Health Assessment was approved upon a motion by Dr. James with a second by Dr. Barnewall. Ayes: All Nays: None – motion carried

Resolution 17-131 to authorize the Health Commissioner to enter into a contract with the Ohio Department of Health for the Community Health Improvement

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Plan (revenue of \$12,500.00) was approved upon a motion by Dr. James with a second by Dr. Rudge. Ayes: All Nays: None – motion carried

Resolution 17-132 to amend the FCPH Food Proper Public Use Policy (D-0002) was approved upon a motion by Mr. Lupfer with a second by Dr. Barnewall. Ayes: All Nays: None – motion carried

Resolution 17-133 to approve purchases was approved upon a motion by Mr. Lupfer with a second by Dr. James. Ayes: All Nays: None – motion carried

Personnel Actions

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

New Hires	Community Health Planner	Olabisi Eddy, December 4, 2017
	Emergency Preparedness Planner	Alexandria Wallace, November 27, 2017
Job Openings	Executive Assistant to the Health Commissioner	Position Posted
	Data Analyst and Evaluation Coordinator (CCI Grant)	Position Posted
	Tobacco Cessation Coordinator (CCI Grant)	Position Posted
	Public Health Nurse (BCMh)	Position Posted
	Public Health Nurse (Infectious Disease)	Position Posted
Resignations	Andrea Harless, Executive Assistant to the Health Commissioner	November 17, 2017

Personnel actions were approved upon a motion by Mr. Lupfer with a second by Dr. Rudge. Ayes: All Nays: None – motion carried

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Environmental Health Report: (Attached)

Prevention & Wellness Report: (Attached)

Health Systems & Planning Report: (Attached)

Human Resources Quarterly Report:

Communication Report: (Attached)

Health Commissioner Report: (Attached)

Medical Director Report:

Dr. Sullivan shared that certain diseases, when identified, require medication for those around them. As Medical Director, Dr. Sullivan will sometimes write prescriptions for those family members who may not be able to see a physician. Insurance will usually pay for these prescriptions however, if a family does not have insurance FCPH will send them to a local pharmacy that will fill the prescription and bill FCPH.

Dr. Sullivan also shared information from the Advisory Committee on Immunization Practices (ACIP). They have recommended a 2nd dose of the MMR vaccine for outbreaks. Additionally, the committee has recommended a new shingles vaccine. Shingles is a reactivation of the chicken pox which lives in the nerve roots. It manifests in the skin and can cause severe pain. There has been a vaccine for some time containing a live virus. It was about 50% effective. The new vaccine is made from DNA and is about 90% effective. It also works well on the elderly. The committee recommended to approve the vaccine in general and for the elderly and is preferential over the old vaccine.

Legal Counsel's Report

Mr. Durham followed up on last month's presentation to share how personnel is approved. A 1967 statute grants the Board approval on hiring's. This is troublesome because of the timeline to hire new employees and have them start. From a legal standpoint, the Board cannot delegate this to the Health Commissioner. It would need to be a legislative change. Mr. Durham suggested

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looking into this for changes in the state Mid-Biennium Review. The Board asked for a resolution to approve this at the next meeting.

Resolution 17-134 to convene into Executive Session in accordance with Ohio Revised Code Section 121.22(G)(1) to consider the appointment, employment, dismissal or discipline of an employee and/or a public official was approved at 11:35 am, upon a motion by Mr. Lupfer with a second by Dr. Rudge. Roll Call: Mr. Bope Aye, Dr. Rudge, Aye; Mr. Lupfer, Aye, Dr. James-Aye, Dr. Barnewall- Aye- motion carried.

A motion was made to reconvene the meeting at 12:26 p.m. Roll Call: Mr. Bope - Aye, Dr. Rudge - Aye; Mr. Lupfer - Aye, Dr. James - Aye, Dr. Barnewall - Aye; motion carried.

No action was taken by the Board.

Adjourn regular meeting, 12:20 pm.

Respectfully submitted,



Jack Bope, President



Joe Mazzola, Secretary