

LUCAS COUNTY REGIONAL HEALTH DISTRICT
Board of Health Meeting
Board Room #252

October 28, 2010 – 8:30 A.M.

Roll Call

A roll call was taken of Board members for attendance.

Present: Darlene Chaplin, Barbara Conover, Mary Gregory, Donald Murray, A. Debra Nicotra, Robert Reinbolt, Jane Ringlein, Theodore Rowen, Dr. Christopher Sherman, and Dr. Donna Woodson

Absent: Reynald Debroas, Patricia Wilcox (both excused)

Guests: Cathy Noble, ONA Representative; Paul Bauman, Union Steward, AFSCME Local 7; Rebecca Anderson, Ronata Bryant and Scott Francis, new employees; John Borell, Prosecutor's Office; Jerry Taylor, Family House; Sarah Balser and Morufat Adeyi, MPH Students, University of Toledo Medical College

Staff: Ross Buckingham, Mary Frank, Dr. David Grossman, Barbara Gunning, Bob Pongtana, Alan Ruffell, Larry Vasko and Eric Zgodzinski

Dr. Donna Woodson, President, called the meeting to order.

Introduction of Guests

Larry Vasko announced that Jerry Taylor, Family House, was present today for the Environmental Health Fees Hearing. He announced that there are three new employees: Rebecca Anderson, Ronata Bryant and Scott Francis. He introduced Paul Bauman, new AFSCME Union Steward, Cathy Noble, ONA Representative, and John Borell, Prosecutor's Office. There are two MPH students, Sarah Balser and Morufat Adeyi, University of Toledo Medical College.

Minutes of September 23, 2010

The minutes of the September 23, 2010 meeting were reviewed. Ted Rowen made a motion to approve the minutes as presented. A. Debra Nicotra seconded the motion. A vote was taken of those present. Motion carried.

Agenda

Dr. Donna Woodson noted an executive session was listed on the agenda for pending legal issues and personnel issues under the Prosecutor's Update.

Vouchers

Board members reviewed the October vouchers. Dr. Christopher Sherman said that the Audit/Finance Committee had reviewed the items on the Bill Schedule. He noted that there were three payroll periods in this Bill Schedule. The Bill Schedule also includes funds totaling \$446,000.00, which were returned to the State of Ohio. Dr. Sherman noted that a substantial portion of these funds came back to the department. A. Debra Nicotra noted that the new generator had been delivered and installed. A. Debra Nicotra made a motion to approve the payment of the October vouchers. Jane Ringlein seconded the motion. A vote was taken: 9 yeas, 0 nays. Motion carried.

Old Business

Prosecutor's Update

John Borell said that there was no other report.

Executive Session

Ted Rowen made a motion that the Board go into executive session to discuss pending legal issues and personnel issues. Jane Ringlein seconded the motion. A roll call was taken. The Board went into executive session at 8:40 a.m. and returned to regular session at approximately 9:20 a.m. Board members requested the presence of Dr. David Grossman, Larry Vasko, Bob Pongtana and John Borell.

New Business

Public Hearing – 2011 Proposed Environmental Health Fees

Alan Ruffell said that ORC 3709 requires the holding of a public hearing for the establishment of Environmental Health fees. Notices are required to be provided to operators regarding these fees. These notices were sent by mail and a notice was published in The BLADE. Today will serve as the public hearing on the proposed 2011 Environmental Health Fees.

Alan Ruffell noted that only one person, Jerry Taylor, Family House, appeared for today's public hearing. However, he left during executive session. Mr. Taylor had indicated that he was present today only to observe the Board proceedings.

Mr. Ruffell indicated that today's public hearing would cover proposed fees for food service operations, food establishments, marinas, RV/park camps, swimming pools, tattoos and the water/well programs. The sewage treatment public hearing will take place next month, as sewage treatment system contractors had not received the required 20-day notification. Attendees in the audience were asked for any further comment at the public hearing. There were none.

Jane Ringlein made a motion to accept the public hearing. Donald Murray seconded the motion. A vote was taken: 9 yeas, 0 nays. Motion carried.

Second Reading – 2011 Proposed Environmental Health Fees

Alan Ruffell said this would serve as the second reading of the 2011 proposed Environmental Health fees. He said the fees were calculated according to the State methodology. The fees presented at the September meeting for the first reading are identical to the fees presented today for the second reading.

Donald Murray made a motion to approve the second reading of the proposed Environmental Health fees. Jane Ringlein seconded the motion. A vote was taken: 9 yeas, 0 nays. Motion carried.

Confirmation of New/Separated Employees

Larry Vasko reported that there were four newly hired employees and no separations this past month. Kelly Granger was hired as a Clerk I in Health Services on 10/4/10 at a rate of \$10.05 per hour; Scott Francis was hired at Supervisor-Purchasing & Information Management in Administrative Services on 10/4/10 at a rate of \$28.68 per hour; Ronata Bryant was hired as

Minority Health Program Coordinator on 10/12/10 at a rate of \$21.00 per hour; and Rebecca Anderson was hired as Outreach Supervisor, Health Services, on 10/13/10 at a rate of \$28.50 per hour. They provided background information about himself/herself.

A. Debra Nicotra made a motion to accept this report. Jane Ringlein seconded the motion. A vote was taken: 9 yeas, 0 nays. Motion carried.

(Robert Reinbolt arrived at approximately 9:30 a.m.)

Maternity Unit Licensures

Dr. David Grossman presented two maternity unit licensures for the Board's consideration and approval. Donald Murray made a motion to approve maternity unit licensure for Bay Park Community Hospital. Jane Ringlein seconded the motion. A roll call vote was taken and Board members voted as follows:

Darlene Chaplin	Yea
Barbara Conover	Abstained
Reynald Debroas	Not Available
Mary Gregory	Yea
Donald Murray	Yea
A. Debra Nicotra	Yea
Robert Reinbolt	Yea
Jane Ringlein	Yea
Theodore Rowen	Yea
Dr. Christopher Sherman	Yea
Patricia Wilcox	Not Available
Dr. Donna Woodson	Yea

Vote: 9 yeas, 0 nays. 1 Abstained. Motion carried.

Ted Rowen made a motion to approve maternity unit licensure for St. Luke's Hospital. Donald Murray seconded the motion. A roll call vote was taken and Board members voted as follows:

Darlene Chaplin	Yea
Barbara Conover	Abstained
Reynald Debroas	Not Available
Mary Gregory	Yea
Donald Murray	Yea
A. Debra Nicotra	Yea
Robert Reinbolt	Yea
Jane Ringlein	Yea
Theodore Rowen	Yea
Dr. Christopher Sherman	Yea
Patricia Wilcox	Not Available
Dr. Donna Woodson	Yea

Vote: 9 yeas, 0 nays, 1 Abstained. Motion carried.

Environmental Health Issues Committee

Donald Murray reported that the committee met on October 19, 2010. The focus of the meeting was on the Proposed Environmental Health Fee changes; the proposed Public Swimming Pool fee changes for 2011 and sanitary sewer tap orders. The Environmental Health Fees were already presented today and the Committee had recommended approval. Additional data supporting the fee increase for the Public Swimming Pool Program, as requested, was provided. The Committee reviewed the data and recommended approval of the fee increase as calculated.

The committee also reviewed two sewer tap issues in Oregon, Ohio. The properties are located at 155 South Stadium Road and 51 South Wynn Road. The Environmental Health Committee had some concerns about setting a precedence regarding the granting of extensions. A meeting is planned to include Mike Beazley, Administrator, Paul Roman, Director of Public Service, City of Oregon, Alan Ruffell, Donald Murray, and A. Debra Nicotra to discuss Oregon's policy for timelines to tap.

Ted Rowen made a motion to approve the report. Robert Reinbolt seconded the motion. A vote was taken: Voting: 10 yeas, 0 nays. Motion carried.

Personnel Committee

Ted Rowen said that the committee met on October 26, 2010 to review two matters—a Grievance filed by Debbie Dacquist and a Grievance filed by Kerry Stanley and Nick Kusina. Mr. Rowen provided background information and recommendations on both grievances.

Grievance filed by Debbie Dacquist as to a Verbal Reprimand and Requirement to Reimburse TLBH for the Portable Computer Stolen While Left in her car

A hearing occurred from an incident, which occurred on August 20, 2010; Ms. Dacquist's automobile was broken into for the third time. The Administration issued a written reprimand and determined that Ms. Dacquist due to her negligence and the violation of the Portable Computer Policy had to reimburse TLBH for the replacement of the portable computer which had been stolen. The Union took the position that the Written Reprimand and the requirement for reimbursement was not valid, as Ms. Dacquist had complied with the Portable Computer Policy as her automobile did not have a trunk, and she stored the computer inside her automobile, and stored it out of sight.

Larry Vasko explained that our policy states that the person must have "reliable transportation" and we are deeming this transportation as not reliable.

Ted Rowen said there are two ways we can fix this. One way is to change the recommendation that she's done all that but leave the computer in the car at any time, that if she takes it out, it has to be kept with her and to the extent she leaves it in the car and it's stolen that she is personally liable for it. I think we can fix this problem by making everyone strictly liable if they take out of the office any equipment if they leave it in the car, if it is stolen, or lost, each person would be strictly liable for the loss.

Dr. Woodson asked how would she be able to do her job unless she got a different car and that is not always the feasible thing for someone to do.

Alan Ruffell said if she's in the car, unless someone hits her over the head, and breaks in and steals it; it has to be in her possession.

Dr. Grossman said that's why we are working on a new policy. If It's (the computer) always in their direct possession, it mitigates all the rest. But if something like that would happen, we would not hold them responsible.

Board of Health Decision

A. Debra Nicotra made the following motions: that the Board dismiss the written reprimand of Debbie Dacquisto. Also, since there was not a violation of the Portable Computer Policy, Ms. Dacquisto should not be required to reimburse TLBH for the value of the computer. Rather, she should be required to file a claim under her personal insurance policy, if one is in existence, for the value of the portable computer. If Ms. Dacquisto receives any reimbursement, the amount of the reimbursement should be paid to the TLBH.

Also, to change the recommendation that if Debbie Dacquisto takes the computer out of the car at any time, that it has to be kept with her, and to the extent she leaves it in the car and it is stolen, that she is personally liable for it.

Everyone will be held strictly liable for taking out health department equipment. If they leave the equipment in the car and the equipment is lost, the employee will be held liable.

Jane Ringlein seconded the motions. A vote was taken: 10 yeas, 0 nays. Motions carried.

Grievance Filed By Kerry Stanley and Nick Kusina For Violation Of Article 32 (Section 1) and Article 15 (Hours of Work and Overtime) In That They Had The Highest Seniority and Were Not Called In To Receive Overtime When There Was A Need To Conduct A Smoking Violation At Delaney's Bar.

The Administration in fulfilling its responsibility under contract with the Ohio Department of Health in conducting an investigation of Delaney's bar for smoking violations, made the determination not to utilize the next two people on the volunteer list. Administration had provided the justification for this action.

The Union took the position, that since this list was in effect for the last three years, in each instance during that period of time whenever there was a need to work overtime, the person(s) who had the highest seniority were given the opportunity to work overtime. Once a person worked overtime, when the next opportunity occurred, the person with the next most seniority would be given the opportunity. The Union argued this constituted an accepted past practice, which should be followed.

The Administration took the position there was no such past practice. It was not necessary for a sanitarian to perform the investigative task. No where in the collective bargaining agreement were sanitarians or members of AFSCME given the exclusive right to perform these investigations. Also, in the past, during the three year period when this list was in effect, others who were not on the list and who were not sanitarians conducted smoking violations. The Administration maintained that it had the right to determine who would conduct these investigations.

It was the recommendation of the Personnel Committee that the grievance be sustained and each of the two Grievants are hereby awarded two hours of overtime.

Board of Health Decision

Darlene Chaplin made the motion that the Board accept the Personnel Committee's report dealing with a grievance filed by Kerry Stanley and Nick Kusina. Robert Reinbolt seconded the motion. Voting: 1 yea, 9 nays. Motion denied.

Ted Rowen then made the motion that the Board deny the grievance as there was no violation with the bargaining unit; or in the policy of past practice, in terms of selecting an individual who was selected on short notice for the limited purpose of a follow up investigation. Dr. Sherman seconded the motion. A vote was taken: 10 yeas, 0 nays. Motion carried.

There was agreement that the Personnel Committee report would be rewritten.

Audit/Finance Committee

Dr. Sherman reported that the committee met on October 25, 2010 and reviewed the following items: September 2010 Financial Status, October Bill Schedule, Grant Funded Programs, Contracts, 2011 Environmental Health Fees Schedule, Vital Statistics Equipment, Request 5% Matching Fund (PHI Grant) and other items. Dr. Sherman noted that the collection is up to 88% under the General Revenue Fund due to tax collections. As general practice, the tax base has been split. The Grant Funded programs were reviewed. Dr. Sherman noted that the Health Department was not awarded the Teen Pregnancy Prevention grant in the amount of \$457,000.00. Dr. Woodson inquired about other grants. Barbara Gunning reported that some grants are coming from the Ohio Department of Education.

Grant Funded Programs

The committee reviewed the grants as of September 30, 2010 with applications in the amount of \$8,840,687.95 for 2010 fiscal year. We have received the grant fund of \$6,501,490.95. Currently, there are eight grant applications in process in the amount of \$1,014,091.00. For the fiscal year 2011, applications amount to \$4,780,862.00 and so far we received \$3,703,856.00.

Contracts

The committee reviewed three contracts: Dale Raczkowski-Project Manager \$35.00 per hour; Sandusky County Health Department – Advance Practice Center - \$15,000.00 and National Association of County and City Health Officials (NACCHO) – Advance Practice Center - \$270,000.00. The committee recommends acceptance of all contracts.

2011 Environmental Health Fees Schedule

The committee reviewed for the second time the list of proposed fees – no change from last month. A Refund of State Portion 2005-2009 Report was distributed for viewing. This document shows monies returned to the State based on fees collected.

Request – Vital Statistics Equipment

The administration provided an update of the list of an additional appropriation for 2010. The total appropriation is \$830,341.00. As of today, a total of \$322,523.00 has been encumbered. The committee approved the change of line items and reallocation of the funds, as long as total spending does not exceed \$830,341.00. The committee also suggested that the Facility Committee review the details of the adjustments. Three items were requested for Vital Statistics totaling \$30,115.00 for equipment. The committee agreed to move/divert grant funds into other areas to make improvements to the health building. The Board will be kept

apprised of this item. A. Debra Nicotra, chairman of the Facility Committee, agreed to review this item.

Request 5% Matching Fund

An additional grant fund was secured for the PHI Grant for \$339,736.00. The committee approved a 5% matching fund in the amount of \$16,987.00 and suggested inclusion in the 2011 budget line item.

Ted Rowen made a motion to approve the committee report including contracts. Donald Murray seconded the motion. A vote was taken: 10 yeas, 0 nays. Motion carried.

(Dr. Christopher Sherman left at approximately 10:45 a.m.)

Facility Committee

A. Debra Nicotra reported that the committee did not meet this past month. She announced that we have approximately \$830,000.00 that was appropriated. She also noted that the new generator was recently installed on the grounds of the health department and that it did go over budget by approximately \$6,000.00. The availability of additional monies was anticipated due to other cost savings. A meeting is planned to discuss these items in detail.

Contracts to the Board

Dr. David Grossman presented one contract for the Board's consideration and approval. A contract was presented for the hiring of Patricia Lines, Grant Writer, in the amount of \$15.00 per hour plus a percentage of acquired grants. Donald Murray made a motion to approve this contract. A. Debra Nicotra seconded the motion. A vote was taken: 9 yeas, 0 nays. Motion carried.

Division Reports

Environmental Health Services

Alan Ruffell reported on the following items: Rat Eradication, National Lead Poisoning Prevention Week, Tire Piles, SmokeFree Workplace Rules, Person in Charge (PIC) Classes, City of Toledo Fall Citywide Cleanup, Patrick Niles, Northwest Ohio Directors Meeting and Training.

Rat Eradication

Rodent Control Specialists undertook an intensive targeted eradication effort in West Toledo including a rodent abatement discussion at Douglas Community Center Block Watch. Rodent activity in this area has shown a significant increase due to major sewer construction projects and work on I-475.

National Lead Poisoning Prevention Week

We have had much success with lowering the number of poisoned children in Lucas County. In 1997, 16.7% of the children tested had elevated blood levels. In 2009, only 3.4% tested with elevated blood lead levels. Our plan is to bring that level down to near zero percent.

Tire Piles

The last two tire piles in Lucas County (Spencer Township) were remediated with a \$20,000.00 grant from the Ohio Department of Natural Resources.

SmokeFree Workplace

There have been conversations with Bill Delaney, who claims he has stopped smoking and is now complying with the SmokeFree Workplace rules.

Northwest Ohio Directors' Meeting

Mr. Ruffell attended the monthly Northwest Ohio Directors' Meeting. The group is investigating the purchase of upgraded software programs for cost savings and is developing training for Environmental Health Directors.

Community Services Response & Preparedness

Eric Zgodzinski reported on the following items: activities of the Epidemiology/Communicable Disease Staff, Clerical, Medical Reserve Corps, Disaster Response Planner, APC Coordinator, Vital Statistics and Director.

The Epi staff continues to provide education in the community on influenza, pertussis, and communicable disease. It appears that there might be a couple of possible outbreaks of pertussis in our area. Dr. Grossman has provided guidance on this matter. Three influenza hospitalizations have been reported for October, for a total of eight this year. Dr. Woodson noted a tremendous number of prolonged respiratory situations starting with sore throat, cough, chest pain, and pneumonia. Mr. Zgodzinski noted that H1N1 has mutated slightly.

Greg Moore, APC Coordinator, is working on social media in the health department and a draft policy is anticipated at the end of the year. Mr. Moore may be called to present on his trip to Champaign, Illinois, regarding a TMM overview with the University of Toledo and our connector site. Mr. Moore attended a marketing meeting with NACCHO in Providence, Rhode Island, centered on unified marketing.

Regarding a recent weather event last Tuesday, we were involved in the pre-planning activities. We were informed to expect from F2 to F5 tornadoes with heavy damage to property and possible loss of life. We did get some tornadoes, either FO or F1, in Northwest Ohio. Donald Murray commented on a change regarding potassium iodine for Eastern Lucas County. Eric Zgodzinski acknowledged the change and said the process would start soon.

Health Services

Barbara Gunning reported on the following items: Flu Vaccines, Creating Healthy Communities, Minority Health, Sixty Plus, Medical Technology, Breast Feeding Support and Human Trafficking.

Michelle Wensink

Staff member Michelle Wensink was acknowledged for her personal achievement and eligibility to run in the Boston Marathon.

Electronic Health Records

This item has been very challenging for staff members. Our numbers, revenue and caseload will undoubtedly be down for about two months. Computer data entry is time consuming. The trainer will return in November for onsite training.

Flu Vaccine

Mary Sheehy will be providing flu vaccinations immediately after the Board meeting.

Creating Healthy Communities

Carey Ardner and Tony Maziarz, Coordinator, published the Best Food Choices for donations to food pantries. A copy was provided to Board members.

Minority Health

Ronata Bryant, Minority Health Coordinator, started her new position on October 12, 2010. The local commission is currently focused on establishing subcommittees and identifying future projects.

Sixty Plus Program

A Sixty Plus program site visit was held on October 22, 2010 and no deficiencies were noted. Cathy Noble and Debbie Dryer-McClure were complimented on their work with seniors.

Human Trafficking

Mary Jay, Disease Intervention Specialist, provided requested protocols to the National Human Trafficking Resource Center.

Administrative Services

Bob Pongtana reported as follows: Ross Buckingham continues to work on the Allscripts deployment of equipment. Kronos is a new software package that will handle electronic human resources. The program will be interfaced with Peoplesoft, a current County software package. More details will be forthcoming. This item will be forwarded to the Personnel and Audit/Finance Committee for review.

We received two grant awards: Women, Infants and Children, amount \$2,335,266.00, a 5% increase from last year, and T.B. Case Management, amount \$2,457.00, additional funding. There was one grant application pending: T.B. Case Management, amount \$45,000.00. There were a total of eight grant applications in process. This included the Sixty Plus grant, amount \$39,000.00. There were five grant quarterly expenditure reports, all for the PHI grant. Total grant funding received in September totaled \$181,931.69.

Dave Miller has been working on the development of new policies and processing numerous FMLA time, personnel / confidential personnel issues and grievances.

Health Commissioner's Comments

Dr. Grossman commented as follows: The electronic medical records are an incredible task regarding input of data and the creation of our data bank. The new Kronos program will include a different type of time clock and will handle such items as clocking in, vacation time, sick time, etc. for employees. This system will be helpful in determining employee locations, accuracy of paperwork, etc. The new Generator has been installed and is a self-contained unit. Pertussis is an important issue regarding children in school.

There is a concern over the allocation of State subsidy funds this year. The State has changed the formula allowing smaller health districts to receive a minimum of \$2,000.00. This results in a decrease for us of about \$50,000.00 compared to approximately \$72,000.00. We contacted the State regarding our concern, but to no avail. A meeting with our legislators might be the next step. A suggestion was made to contact the Northwest Ohio Delegation on this matter.

Other Items

Dr. Donna Woodson commented about a morale party held at the back lawn of the health building that was well attended. Barbara Gunning stated other events are planned including a pizza party, a costume party, and other activities.

Ted Rowen complimented Dr. David Grossman for his assistance regarding an eviction case at a competency hearing involving the Office of Prosecutor Julia Bates.

Public Health in the News

Dr. Donna Woodson commented on public health items in the news. There was an editorial a couple of weeks ago on "Rats on the Move". It mentioned that the Health Department baited nearly 200 manhole covers with rat poison.

Regarding Lyme Disease, a deer tic was found in eastern Ohio. Dr. Woodson suggested contacting physicians through the Academy Communique if this item should move forward in our area. There was an article entitled "New York is trying to move on Sodas Jerks" which dealt with getting carbonated sugary filled beverages off the list of items purchased through food stamps. There was also a public health issue involving a Cholera outbreak in Haiti.

In today's paper there is advice from CDC of the Advisory Committee on Immunization Practices (ACIP) regarding meningitis and whooping cough. ACIP is suggesting a second dose of booster for the meningitis vaccine targeting a particular age group. The other one is whooping cough. In the Internal Medicine magazine, there was an article entitled "Heavy Smoking in Mid life Doubles the Risk of Alzheimer's".

Next Meeting

The next meeting will be held on Thursday, November 18, 2010 at 8:30 a.m. at the Health Building, Board Room, 635 N. Erie Street, Toledo, Ohio.

Adjournment

Donald Murray made a motion to adjourn the meeting. Robert Reinbolt seconded the motion. The Board voted unanimously to adjourn. The meeting adjourned at approximately 11:10 a.m.

Signed:

Donna A. Woodson, M.D., President
Lucas County Regional Health District

Attested By:

David Grossman, M.D.
Secretary to the Board