

**LUCAS COUNTY REGIONAL HEALTH DISTRICT**  
**Board of Health Meeting**  
**Department of Operations Center (DOC) #254**  
**August 22, 2019 – 8:30 A.M.**

**I. Call to Order and Roll Call**

Dr. Donna Woodson, President, called the meeting to order at 8:34AM.

A roll call was taken of Board Members for attendance:

- i. *Present:* Fritz Byers, Barbara Conover, Richard Fernandez, DPT , Perlean Griffin, Matthew Heyrman, Ted Kaczorowski, Donald Murray, Susan Postal, Johnathon Ross, MD, Donna Woodson, MD
- ii. *Excused:* Barbara Sarantou, Michelle Schultz
- iii. *Absent:* Reynald Debroas

**II. Introduction of Guests**

- i. Guests: Davis Mann, L.C. Land Bank, Patti Fraker
- ii. Union representatives: Nathan Fries
- iii. Staff & Others: Eric Zgodzinski, Clark Allen, David Welch, Barry Gordon, Tina Stokes, Brandon Palinski, Beth Williams, Josie Smith, Alice Dargartz, Samantha Eitniew, and Legal Counsel: Kevin Pituch.

**III. Additions/Deletions to Agenda**

There were no additions or deletions to the agenda.

**IV. Approval of the July 25, 2019 BOH Minutes**

The July 25, 2019 Board of Health Minutes were sent to Board Members prior to the meeting for review.

**(Resolution 2019.08.118)** A motion was made by Ted Kaczorowski and seconded by Fritz Byers to approve the July 25, 2019 Board Meeting Minutes. Motion carried. 9 yeas, 0 nays

**V. Lead Update**

Eric introduced David Mann from the Lucas County Land Bank to give an update on the lead issues in the community. Mr. Mann has been working with the City of Toledo in regards to the Lead-Safe ordinance and commented on the following: It is the Mayor's commitment to carry out an ordinance that works. It needs to be something that actually stop children from being poisoned by lead. It is important to resolve the 6<sup>th</sup> District Court of Appeals case so that we know how to move forward and what power we have. Most important is the City's ability to partner with the Health Department. The City and Health Department will play a critical role. The workgroup, which the Mayor put together, has put together a number of ideas and strategies. As soon as the lawsuit is resolved, the first thing to happen will be an ordinance introduced to City Council that will help improve what is already on the books to move us forward in a consistent, enforceable, direct way.

A copy of the Executive Summary Working Group's Proposal was presented which outlines where we will go from this point on.

*(8:46AM Matthew Heyrman arrived)*

**VI. Approval of Payment for July 2019 Vouchers**

Ted Kaczorowski stated that the Audit/Finance Committee met on Monday, August 19, 2019 to review the bill schedule. He commented that there was nothing out of the ordinary in the vouchers for the month of July. A correction was made on page 2 of 4 under Mercy St. Vincent Medical Center in the amount of \$40,739.20 is regarding Women, Infants & Children. This correction will be made to the typed copy.

**(Resolution 2019.08.119)** A motion was made Matthew Heyrman and seconded by Richard Fernandez, DPT to approve the July 2019 vouchers. Motion carried. 10 yeas, 0 nays.

**VII. Legal Update**

- A. Kevin Pituch stated that the last brief on the lead ordinance was filed on June 20, 2019, and we are now waiting on the oral arguments to be scheduled. This will be heard in Dayton, Ohio at the 2<sup>nd</sup> Court of Appeals. The City has offered to waive all argument in order to speed this up. Kevin stated that he agreed and is waiting on the plaintiff to agree. If that happens, the court will be able to decide on it right away. If there is an oral argument, it will probably be held in September. There will be a 3 – 4 month period after that for the decision. If we win this case, the laws for the lead ordinance will have to be rewritten because some of the deadlines have already passed.
- B. Eric Zgodzinski reported that Gillian Wilke, one of our sanitarians, is running for Maumee City Council. There are some legal concerns that she has that possibly our Prosecutor could help with. She has been moved out of the food district that contains the City of Maumee. Gillian had questions conflict of interest or other legal issues. It was suggested by Fritz Byers and Kevin Pituch that she get her own legal counsel.

*(Perlean Griffin left meeting at 9:50AM)*

**VIII. New Business/Points for Consideration**

- A. Environmental Health Proposed Fees for 2020 (First Reading)

The Environmental Health Proposed Fee Schedule for 2020 was presented for the first of three readings as required. The proposed changes will be in the Food, Septic and Well Programs.

**(Resolution 2019.08.120)** A roll call vote was taken to accept the first reading of the proposed fees. Motion carried. 9 yeas, 0 nays

**IX. Prior Business**

- A. Dr. Woodson discussed the memo that was distributed at the July Board of Health Meeting for Opportunities of Additional Board of Health Education. These opportunities will be made available to board members in the coming months within the various programs.

**X. Committee Reports**

- A. **Audit/Finance Committee Report – Ted Kaczorowski, Chair**

Ted Kaczorowski presented the Audit/Finance Committee report. The Audit/Finance Committee met on Monday, August 19, 2019. The financial packet was provided via email and includes all of the financial data that was reviewed by the Committee.

### **Transfer of Appropriations**

A transfer reallocates funds from one cost object to another. Board of Health Resolution is required to approve Transfers of Appropriations performed in the month of July 2019 in the ordinary course of business. Total transfer is \$23,085.09 consisting of changes in various expense categories.

**(Resolution 2019.08.121)** A motion was made by Fritz Byers and seconded by Richard Fernandez, DPT to approve the Transfers of Appropriations for the month of July 2019 in the amount of \$23,085.09. Motion carried. 9 years, 0 nays.

### **Revenue Estimates**

Board of Health Resolution is required to approve changes in Revenue Estimates and Expense Appropriations for the month of July 2019 in the amount of \$684,449.07.

**(Resolution 2019.08.122)** A motion was made by Fritz Byers and seconded by Susan Postal to approve the changes in Revenue Estimates and Expense Appropriations for the month of July 2019 in the amount of \$684,449.07. Motion carried. 9 years, 0 nays.

**Health Care Insurance Increase:** We have been notified that the Health Care Insurance for 2020 could be increased by 10%. This will amount to about \$133,000.00 increase for the year.

**(Resolution 2019.08.123)** A motion was made by Fritz Byers and seconded by Richard Fernandez, DPT to approve the Audit-Finance Committee Report in its entirety. Motion carried. 9 years, 0 nays.

## **B. Personnel Committee Report – Susan Postal, Acting Chair**

The Personnel Committee met on Monday, August 19, 2019.

### **New Position Description – Human Resources Officer**

The Personnel Committee would like to recommend a resolution to approve a new position description for Human Resources Officer. If approved, this position would be awarded to Terri Frank, resulting in a reclassification of Ms. Frank from Administrative Secretary (E-1) to Human Resources Officer (E-4). Job description is in the packet.

**(Resolution 2019.08.124)** A motion was made by Ted Kaczorowski and seconded by Barbara Conover to reclassify the position of Administrative Secretary (E-1) to Human Resources Officer (E-4). Motion carries, 9 years, 0 nays

### **New Position Description - Executive Administrative Assistant**

The Personnel Committee would like to recommend to the Board a resolution to approve a new position description, Executive Administrative Assistant (E-4). If approved, this position would be advertised. Job description is in the packet.

**(Resolution 2019.08.125)** A motion was made by Barbara Conover and seconded by Fritz Byers to approve the job description for an Executive Administrative Assistant. Motion carries, 9 years, 0 nays

### **Vacation Accrual, Usage, and Leave Policy for Non-Bargaining Unit Employees/Vacation Plus Program**

The Personnel Committee would like to recommend to the Board a resolution to adopt a new policy, "Vacation Accrual, Usage, and Leave Policy for Non-Bargaining Unit Employees" which shall

include voluntary participation in a "Vacation Plus Program" whereby employees may sell back excess, unused vacation hours based on years of service, subject to available funding each fiscal year.

**(Resolution 2019.08.126)** A motion was made by Donald Murray and seconded by Ted Kaczorowski to approve the Vacation Accrual, Usage, and Leave Policy for Non-Bargaining Unit Employees/Vacation Plus Program as outlined above. Motion carried. 9 years, 0 days.

**Confirmation of New/Separated Employees**

Marissa Petroff, S.I.T.	Start date: August 5, 2019
Sophia Montarmani, PHN	Resignation effective: August 8, 2019
Alia Kadri, PREP Coordinator,	Resignation effective: September 27, 2019

**(Resolution 2019.08.127)** A motion was made by Donald Murray and seconded by Richard Fernandez, DPT to accept the entire Personnel Committee report. Motion carried. 9 years, 0 days.

**C. Environmental Health Committee Report – Don Murray, Chair**

Don Murray reported the committee met on Wednesday, August 14, 2019. The following items were discussed:

1. Variances

- i. Variance #19-10 for 8838 Garden Road, Springfield Township for the distance of the leach field from the driveway to be less than the 10' requirement. The isolation distance only allows for about 5 feet. Recommendation of the Sanitarian is to approve the variance.
- ii. Variance #19-11 for 6160 Navarre Avenue for the isolation distance of the septic tank from the existing deep well to be less than the 50' requirement. The distance to the well is between 40' and 45'. Recommendation of the Sanitarian is to approve the variance.
- iii. Variance #19-12 for 13600 Brint Road, Richfield Township for the installation of a temporary holding tank. The home is ready to be occupied and waiting on the installation of the leach field. Recommendation of the Sanitarian is to set the completion date to be no later than November 15, 2019.
- iv. Variance #19-13 for 8120 Seaman Road, Jerusalem Township was granted on February 28, 2019 for a holding tank to be used. Deadline for completion of the system was July 1, 2019. Homeowner is requesting an extension due to issues with the septic field and land to November 15, 2019.

**(Resolution 2019.08.128)** A motion was made by Johnathon Ross, MD and seconded by Fritz Byers to approve variance #19-10, 19-11, 19-12 and 19-13 as outlined above. Motions carried. 9 years, 0 days

2. Subdivision Review – Creekdale Subdivision, Monclova

A request for a lot split for a property of 13 lots for the Creekdale Subdivision. There are multiple agencies involved in approving this. There will be a preliminary hearing for all parties to bring their concerns before the final hearing and decision is made. There are concerns with the size and location of the lots for the installation of septic systems.

3) OEPA HSTS Grant Update –

- i. The 2021 grant has not yet been released. It is expected to be \$150,000 maximum available per department. The grant application is due at the end of August.

- ii. There are three pending system being worked on for the current grant year. Two are approved for abandonment of the septic system and to connect into the Oregon City sewer system. The other is pending legal work to have that system completed.
- 4) Maternity Ward Inspection for the Toledo Hospital was performed by TLCHD Sanitarian. There were no violations noted during the time of the inspection.

**(Resolution 2019.07.115)** A motion was made by Susan Postal and seconded by Matt Heyrman to approve the Maternity Ward Inspection for the Toledo Hospital. Roll Call vote was taken. Motion carried. 7 yeas, 0 nays, 2 Abstain

- 5) The first reading for the Cost Methodology for the following Environmental Health Programs for 2020 fees was presented earlier in this meeting
- 6) Rabies Update:
  - a. An update was given on the dog that is in quarantine for 4 month due to exposure to a bat that tested positive for rabies and the inability of the owner to provide proof that the dog was up-to-date on vaccinations. She will be released in October.
  - b. Another dog has been put on a 45 day quarantine due to possible exposure to a bat. This dog has been fully immunized and the family has had post exposure vaccinations.
- 7) Tick and mosquito surveillance continues throughout the county. The Toledo Sanitary District has reported several pools have tested positive for West Nile Virus. There have not been any reports of WNV in humans this year.

**(Resolution 2019.07.129)** A motion was made by Ted Kaczorowski and seconded by Richard Fernandez, DPT to approve the Environmental Health report in its entirety. Motion carried. 9 yeas, 0 nays.

#### **D. Facility Committee – Barbara Conover**

Eric Zgodzinski stated the City of Toledo and the Port Authority met yesterday concerning 701 Adams Street. One major concern with this property is parking. We have been assured that parking will not be an issue in regards to clients. The other issue is having the ability to sustain ourselves during a power outage. They will take our generator there to power what we need to. Additionally there may be limited funds to make appropriate updates. If we were to move there and operate in that building for the next 15 to 20 years, there may not be enough funding to sustain our needs and allow the ability to expand. We have another meeting on September 9<sup>th</sup>. The architect did another drawing that we had not seen. They were supposed to also do a parking lot study of how many people come in and utilize our spaces at any given hour. This has not yet been done. Parking is a huge issue for our clients.

Dr. Woodson asked who is responsible for making us move and have the space appropriate for a Health Department. Eric stated that it is the City of Toledo and they understand what the needs are. Eric stated that this move probably won't happen for a year or two.

#### **E. Legislative Committee – Eric Zgodzinski**

- 1) Swimming Pool rules reviews for Ohio Revised Code will be opened up soon.

- 2) Gov. DeWine has opened the Medicaid funds for homes that are lead contaminated to be fixed much easier than they were before. The State's program used to mirror HUD and was very restrictive. This allows people to access the funds to fix their homes with less bureaucracy.

**F. Bylaws Committee – Donald Murray**

The Bylaws Committee presented a recommendation to consider regarding Board Members ethics training for Board Members at the July 25, 2019 meeting. The Bylaws state that there must be thirty (30) day notice before a change to by Bylaws can be voted on by the Board of Health. There have only been 28 days between meetings, so the issue will be voted on at the September 26, 2019 meeting.

Article IV, paragraph 5: *Within 30 days of appointment all new board members must complete an approved ethics training course from the Ohio Ethics Commission. Further, all board members must complete retraining on Ohio Ethics through the Ohio Ethics Commission every two years.*

**XI. Pending Business: Division Report**

Sam Schwandner, Information Service Technologist gave an update of the work that Information Technology does in the regards to providing support to our staff. A copy of the presentation is provided in the packets.

**XII. Health Commissioner's Comments – Eric Zgodzinski**

A. Eric stated there was nothing else to report.


**XIII. Other Items and Public Health in the News – Dr. Donna Woodson**

A. It was nice to have Mr. Mann here today to have all of the Board Members updated on Lead via the Toledo Mayor's office.

**XIV. Adjourn**

**(Resolution. 2019.07.130)** A motion to adjourn was made by Donald Murray and seconded by Johnathon Ross, MD. Motion carried. 9 years, 0 nays Meeting ended at 10:15am.

**Signed:**

  
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**Dr. Donna A. Woodson, President**  
**Lucas County Regional Health District Board**

8/26/2019  
\_\_\_\_\_  
**Date**

**Attested By:**

  
\_\_\_\_\_  
**Eric J. Zgodzinski, MPH, RS, CPH**  
**Secretary to the Board of Health**

9/26/19  
\_\_\_\_\_  
**Date**