

LUCAS COUNTY REGIONAL HEALTH DISTRICT
Board of Health Meeting
Zoom Virtual Meeting
November 19, 2020 – 8:30 AM.

I. Call to Order and Roll Call

Dr. Johnathon Ross, President, called the meeting to order at 8:38 AM.

A roll call was taken of Board Members for attendance:

Present: Richard Fernandez, DPT, Matthew Heyrman, Ted Kaczorowski, Richard Munk, MD, Donald Murray, Susan Postal, Johnathon Ross, MD, Michelle Schultz, Donna Woodson, MD

Excused: Fritz Byers, Perlean Griffin, Barbara Sarantou

II. Introduction of Guests: Union Representatives:

Nancy Benedetto (ONA), Nate Fries (AFSCME), Legal Counsel – Kevin Pituch, Government Officials, Members of the Media, Food facility operators.

Staff and others: Eric Zgodzinski, DrPH, Daniel Cadigan, MD, Dave Welch, Tina Stokes, Josie Smith, Gwendolynn Gregory, Shannon Lands, Brandon Palinski, Alice Dargartz

III. Additions/Deletions to Agenda

Include a discussion of the home tests that have become available and the status of the COVID vaccines.

IV. COVID-19 Update and Stay at Home Advisory

Eric Zgodzinski shared the current stats on COVID-19. Most of the country has seen a significant increase in cases. We are also seeing an increase in the US in fatalities from the disease. We have been working hard to stem the infection tide after the last wave in the past two months. We have seen issues in the rural communities start to blossom. Other large Ohio health departments are trying to stem the tide as well but are seeing increases in their communities. Right now, we are seeing increases in cases throughout those larger communities to 597 per 100,000 (100 per 100,000 is considered a high incidence). About a month ago, we were at 49 per day. As of November 10, we saw an uptick to 313. We stayed at around 300 per day for a few days and are currently about 200. The number is significant for Lucas County. With the spread of COVID-19, even those attempting to obey face-covering use and social distancing have a greater likelihood of being exposed or infected due to the increased number of people in the community with new infections of COVID-19. All of us must take the precautions that have been necessary for so long. The Lucas County COVID-19 case breakdown by zip code shows that Lucas County is inundated with COVID-19. It shows we are at 18+ cases per 5,000 residents in most of our zip codes. The Governor has set forth some ideas to curb COVID-19 in Ohio, hopefully. He issued an order for curfew from 10 PM – 5 AM. This curfew is to make sure we are not out and about where we should not be. There is another order for funerals, weddings, and other banquet types of activities. It is less the funerals directly and more so the social gatherings afterward. A limit of ten people was set for an event of a family unit. The hope is to stem some of the infections we have had at those major venues where we have had outbreaks occur. We are hoping to see these numbers decrease with this slowdown that is in place.

Shannon Lands reported where we are with the Mass Vaccination Planning. Mercy Hospital System has been chosen to store and distribute the vaccine when it arrives. We have been planning for vaccine distribution for several months. We are taking the lead from state guidance as to what we need to do to get the vaccination out to our most vulnerable populations, first responders, and those on the front lines. We have been working with local partners, including our local EMA, law enforcement, and county officials, on the best way to distribute and store the vaccine. We have been working on the storage of vaccines. Some vaccines have a 95% efficacy rate, which is great news. We are hoping not to have a shortage of vaccine in Northwest Ohio. Once the vaccine for Phase 1 has been distributed, which will be approximately 100,000 vaccinations, we will move into Phase 2. Several locations for open Points of Distribution (PODS) across the county have been established and are working on setting up Closed PODS where smaller organizations can vaccinate their employees and special populations. We are confident that we will be able to get the vaccine out to those most vulnerable through these PODS. We are still promoting flu vaccination for the season, and once the COVID vaccine is available, we will be able to push that out as well.

Eric stated that one good thing about public health in Ohio is that we have done mass vaccination before. We have the experience, and some staff is still with the department who were involved with the planning for the H1N1. The vaccine is a good tool to use. If we get enough people vaccinated, we know what it will do for us this time next year. We need to get the vaccine out and get people to want to receive the vaccine. Another tool we use to slow COVID-19 is testing along with quarantine and isolation. Every day, we utilize a fast-track calling protocol to get ahold of people to get them isolated or quarantined. We have tested over 2,000 people at the LC Recreation Center over the past two days. Thank you to Mayor Carr and all those from the City of Maumee who helped us run that event. The staff did a great job. Now we have to figure out the positivity rate from those tests. We are probably at 15% or greater, and there is testing today and tomorrow at the University of Toledo campus. We will probably have given 4,000 tests total between both sites by Friday afternoon. What else can we do? We know there are many states around us going back to full lockdown or stay at home orders. Last week we started looking at a possible Stay at Home order as well. This ballooned into something larger in talking with the other larger health departments in Ohio. We understand that only one county implementing something like this is not enough. Over the weekend, there have been significant calls from public health, county commissioners, and mayors of the major urban areas to develop a plan. An advisory would have to be tailored for each location. The overarching principle is to have everyone sing from the same songbook. We worked with our local jurisdictional partners. Shannon was a great liaison in the creation of a public health stay at home advisory.

The proposed Stay at Home Advisory has outlined the expectations of the order explained to the Board. Dr. Ross gave a summary of the Advisory and asked any of the elected officials on the call to share their thoughts. Elected officials commenting to lend their support for the proposed Advisory included Commissioner Tina Wozniak, Toledo Mayor Wade Kapszukiewicz, Sylvania Mayor Craig Stough, Maumee Mayor Rich Carr, Waterville Mayor Tim Pedro, Whitehouse Mayor Don Atkinson, and Toledo Councilman Sam Melden.

Ross stated that if this Advisory is not adhered to, we will have to take more robust measures in the form of an order.

The Board Members were asked if they would like to make comments. Dr. Fernandez and Matt Heyrman shared about the impact this has on the community financially. Dr. Munk shared his concern for reaching critical mass at the hospitals.

Dr. Woodson shared that there may need to be some additions to the document if it moves to be more than an advisory. The questions of how to make people aware there are consequences for not following the advice. Enforcement was mentioned and needed to be kept in mind.

Dr. Ross agrees that there may need to be further changes to the document but suggested to move to accept the document with the understanding it is a living document that can be amended as necessary.

(Resolution 2020.171) A motion was made by Dr. Munk and seconded by Matt Heyrman to approve the Stay at Home order as presented. A Roll Call vote was taken. Motion carried. 8 yeas, 1 nay.

Ted Kaczorowski stated that people are looking for leadership and direction. There is no better way to do this than to have the mayors and commissioners, and other leaders working together to let the community know we are taking this very seriously. We are going to lead the way, follow us, and good things will happen.

Sue Postal stated it is important to get the message and happy to have those who joined us today. A unified message is what everybody in the community needs to hear.

Don Murray stated that he has no objection and supports the Advisory.

Michelle Schultz supported this document and reiterated that we are all in this together.

V. Approval of Board Minutes from October 15, 2020 and October 22, 2020

(Resolution 2020.11.172) A motion was made by Dr. Woodson and seconded by Dr. Fernandez to approve the minutes of the October 15, 2020 Special Board Meeting. Motion carried, 8 yeas, 0 nays, 1 abstain.

Dr. Woodson discussed a few corrections to the minutes which were sent out before the meeting. None of those were of any material differences. Those changes were made on the official minutes and sent back out to the board members.

(Resolution 2020.11.173) A motion was made by Dr. Munk and seconded by Don Murray to approve the October 22, 2020 Board of Health meeting minutes with the above changes. Motion carried 9 Yeas, 0 Nays.

VI. Legal Update

Kevin Pituch reported that the City of Toledo Lead Paint Ordinance from 2016 requiring rental properties with 1 – 4 units to obtain a Lead-Safe Certificate was updated. TLCHD was tasked with administering and enforcing the original ordinance. A lawsuit was filed, and the Common Pleas Court issued a permanent injunction barring us from further implementation. We appealed the injunction on the grounds that current law permitted us to enforce the City of Toledo Lead Ordinance. The City of Toledo changed the ordinance to remove the administration and enforcement from the Health Department. It took a year and a half to reverse the trial court's injunctive order. It is now permissible for the health department to administer and enforce the original order. City Council has now enacted a third version of the ordinance, which brings us back to having the ability to administer and enforce as long as there is a contract signed and approved

by the City and the Board. We are currently working on a contract for the Health Department to administer and enforce the 2020 City of Toledo Lead Paint Ordinance.

Eric stated that we had been significantly working with our schools and looking at schools' positivity rates and isolation and quarantine issues. We are concerned with several schools. Several of them have already gone to a virtual format. Over the next couple of days to weeks, we will dive deeper into what is happening in the schools and the community. We did release a recommendation several months back to go virtual. We may need to come back in the next week or so and seriously look at a recommendation or maybe an order for schools. The Elementary Schools (K – 6) could go to school. We are looking at 7th to 12th Grades going virtual starting sometime after Thanksgiving until the first of the year. We want to let the Board know that we are looking at that and talking with the schools to figure out what is best for the community relative to schools and the spread of COVID. Dr. Ross added that Eric would keep the Board Members in the loop of advice on this in the event we would need to meet to take action requiring schools to go virtual, to ensure we can give good feedback at the time of having to take that vote.

Dr. Woodson asked if an order with the schools would include sports activities. Eric stated that it would, and we would be working through that with Kevin Pituch and the schools. Dr. Woodson added her concern about travel leagues and the students coming back into their communities and using our facilities. We are going to get tougher here. We have to stay tough in all places. We can't let some very valued parts of our student's lives cloud our thinking when we try to protect our community.

VII. Medical Director Report – Dr. Daniel Cadigan

Dr. Cadigan reported on the activities he has been involved with during the past month:

- He has been in the clinic looking at workflow.
- Spoke with local leaders in the ministerial community and will be taking part in their monthly Zoom meeting in December and will get insight into their community's health issues.
- Had discussions with potential advisory board members about COVID
- Spoke with some school administrations with the emphasis of getting the point across that as schools are open, they need to be strongly advising parents in the community to make sure their kids are not just going home and going out. We want to keep their schools open if possible.
- Had a couple of discussions with physicians regarding appropriate and proper death certificate completion, so we are truly marking what a COVID death is and not marking it as a COVID death where COVID was a contributing factor but was not the main cause of death.

Dr. Cadigan stated that as a practicing physician in the community, with a practice in Ottawa County, Lucas County is in a combined statistical area from the census perspective.

The way Lucas County puts forth its guidance should hopefully affect the surrounding counties as well. The reason they make these a combined statistical area is because of the services groups within the area. The tertiary care hospitals receiving patients from the outlying areas and anything that impacts those communities will also impact Toledo and Lucas County. We also have people coming here to work. He stated that in zip code 43452, over the last two weeks, they saw a rate of 716 cases per 100,000. With Ottawa County being a small county, you expect this isn't strictly an urban issue. His residential zip code in Toledo of 43606 is at 515. The rate in the Ottawa County zip code is 35% higher than we see in a mid-city zip code in Toledo. It is affecting all ages. Seeing an upward spread in ages and seeing people who are sicker. Across the Board, outlying hospitals have had near full-capacity issues as well. It has a broad effect across Northwest Ohio in terms of what you do as a Board and what we do as a health department. We have to do things within the community to lower the spread. It will take time once vaccination is available. It is anticipated the home testing

that was approved yesterday will have 50,000 to 100,000 kits out initially. Expect to be \$50 per kit and require a physician's prescription. Widespread usage will probably be in late spring. We need the mitigation measures in the meantime to keep from being overwhelmed. As a practicing physician, Dr. Cadigan appreciates the motion from the Board and the leadership for doing that. Everybody's goal is normalcy and trying to keep the economy as robust as possible, but we can't do that if COVID is extremely widespread within the community. Fully supports the motion.

VIII. Committee Reports

A. Environmental Health Committee – Donald Murray

i. Public Hearing for the 2021 Environment Health Fees

(Resolution 2020.11.174) A motion was made by Dr. Fernandez and seconded by Dr. Munk to open the Public Hearing on the Environmental Health Fees. Motion carried, 9 Yeas, 0 Nays.

Donald Murray asked if there were any changes to the published proposed fees. David Welch stated there were no changes. The floor was opened for public comments from anyone present at the meeting regarding the proposed 2021 fees. One representative (Ron Hoag, from Maumee Little League) asked if they would get credit this year since their season was canceled due to COVID-19. The fee increased for the new season, so they would have to pay the difference.

Mr. Murray asked two more times if there were any further comments concerning the proposed 2021 fees. There were none. Mr. Murray stated that at the November 17, 2020 there was unanimous support for the proposed fee changes for 2021.

(Resolution 2020.11.175) A motion was made by Dr. Woodson and seconded by Susan Postal to approve the 2021 proposed fees. A roll call vote was taken. 9 yeas, 0 nays.

(Resolution 2020.11.176) A motion was made by Dr. Munk and seconded by Susan Postal to close the Public Hearing. Motion carried. 9 yeas, 0 nays.

ii. A Memorandum of Understanding was presented with the City of Toledo to administer the BP/Huskey settlement funding.

(Resolution 2020.11.177) A motion was made by Michelle Schultz and seconded by Susan Postal to approve the MOU with the City of Toledo for the administration of the BP/Huskey funding. Roll call vote was taken. Motion carried. 9 Yeas, 0 Nays.

(Resolution 2020.11.178) A motion was made by Dr. Woodson and seconded by Michelle Schultz to approve the Environmental Health Report in its entirety. Motion carried. 9 Yeas, 0 Nays.

B. Audit/Finance Committee Report

The Audit/Finance Committee met virtually on November 16, 2020. Ted Kaczorowski stated that there was nothing out of the ordinary to report in regards to the October 2020 vouchers. We are entering into a contract with a new company to lease our copying machines at about half the cost we have in the past. We received a grant of \$200,000 to help with additional COVID costs.

(Resolution 2020.11.179) A motion was made by Dr. Fernandez and seconded by Michelle Schultz to approve the October 2020 vouchers for payment. Motion carried, 9 Yeas, 0 Nays.

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 October 2020 in the ordinary course of business. The total transfer is \$31,500 consisting of changes in various expense categories.

(Resolution 2020.11.180) A motion was made by Dr. Munk and seconded by Dr. Fernandez to approve the Transfer of Appropriations for the month of October 2020 in the amount of \$31,500. Motion carried, 9 Yeas, 0 Nays.

Revenue Estimates and Expense Appropriations

Board of Health Resolution is required to approve changes in Revenue Estimates and Expense Appropriations for the month of October 2020 in the amount of \$161,751 for Revenue Estimates and \$217,251 for Expense Appropriations.

(Resolution 2020.11.181) A motion was made by Susan Postal and seconded by Michelle Schultz, to approve the Revenue Estimates of \$161,751 and Expense Appropriations of \$217,251 for the month of October 2020. Motion carried, 9 yeas, 0 nays.

Advance of Taxes Assessed and Collected

A Board of Health Resolution is required to request an advance from the Lucas County Auditor of taxes assessed and collected for and on behalf of the Regional Health District in the amount of \$831,561.78 in January 2021 and \$831,561.77 in July 2021. This allows us to receive our twice-yearly tax assessments early. Motion carried, 9 yeas, 0 nays.

(Resolution 2020.11.182) A motion was made by Dr. Munk and seconded by Susan Postal to approve the request for an advance of taxes assessed and collected for January 2021 of \$831,561.78 and July 2021 of \$831,561.77. Motion carried, 9 yeas, 0 nays.

(Resolution 2020.11.183) A motion was made by Matt Heyrman and seconded by Dr. Munk to approve the Audit/Finance Committee report as presented. Motion carried, 9 Yeas, 0 Nays.

Dr. Fernandez asked if in future audit/finance reports if we could have a report as to where we are in regards to our finances. Could we have some type of idea of our current financial standing and if there is anything to be concerned about? Dr. Ross suggested that we have a session on Government Finance 101 during a Board Retreat. Don Murray stated this information is given at the monthly Audit/Finance committee meeting but can be shared with the full Board.

C. Personnel Report – Michelle Schultz

The Personnel Committee met on November 16, 2020, and provided a report to the Board of Health. The following require Board Action:

- i. The Personnel Commitment discussed and recommends a change in appointment status for the emergency hire of seven emergency hires to the unclassified intermittent temporary position of Contact Tracer in the non-bargaining unit service, at the rate of pay of \$18.00 per hour through December 30, 2020.

(Resolution 2020.11.184) A motion was made by Dr. Munk and seconded by Ted Kaczorowski to approve the change in appointment status for the emergency hire of seven employees to the full-time, temporary position of Contact Tracers. Motion carried, 9 yeas, 0 nays.

- ii. The Personnel Committee recommends the hire of Tana Savage, Kathy Heath, Kathleen Newsom, and Amy Gill to the part-time, temporary, intermittent position of Contact Tracer until December 30, 2020.

(Resolution 2020.11.185) A motion was made Dr. Munk and seconded by Ted Kaczorowski to hire the four temporary Contact Tracers as listed above. Motion carried, 9 yeas, 0 nays.

- iii. The Personnel Committee recommends the hire of Yonnis Dixon to the classified full-time permanent position of Community Health Worker in the non-bargaining unit service in the Healthy Start Program at the rate of pay of \$13.83 per hour.

(Resolution 2020.11.186) A motion was made by Dr. Fernandez and seconded by Dr. Munk to approve the hiring of Yonnis Dixon for the full-time position of Community Health Worker in the Healthy Start Program as outlined above. Motion carried, 9 Yeas, 0 Nays.

(Resolution 2020.11.187) A motion was made by Donald Murray and seconded by Dr. Munk to approve the Personnel Committee Report. Motion carried, 9 Yeas, 0 Nays.

IX. New Business/Points for Consideration

No New Business/Points for Consideration.

X. Prior Business

A. Racism as a Public Health Crisis

Eric presented the final draft of Racism as a Public Health Crisis Resolution for adoption.

(Resolution 2020.11.188) A motion was made by Dr. Fernandez and seconded by Susan Postal to approve Racism as a Public Health Crisis Resolution. Motion carried, 9 yeas, 0 nays.

Matt Heyrman left the meeting

B. COVID-19 Update

Eric stated the department and its employees continue to prove they are just amazing. Dr. Fernandez talked about where we are at and the reason behind things. The reason we get into public health is not because of the multimillion-dollar contracts we have. It is for one reason only, to prevent disease in our community. We want zero diseases. We don't want to see chickenpox, measles, cancer, heart disease. We understand that it is there. When we have the disease in the community, each one of us can't stand it. This is what you are seeing, individuals in this department going above and beyond. Yes, some are getting time and a half, and some are getting double time. They are working extraordinary hours, not having time with family because of one and one thing only, because we have a disease in the community, and that is COVID, and they are trying to combat it. They don't want it here. When we talk about why we do things, at least from the employee's perspective, we don't want to see the disease because we know that it hurts us and hurts the community. I can't say enough of what this department has done, can't say enough about what every staff member has done. You can never know what they do daily until you walk in their shoes. What they are doing is extraordinary, almost superhuman at some times. Just the testing sites alone and the amount of work for pre-planning that goes into it.

Employees get there, set it up, run it, dealing with angry individuals, dealing with all the junk they have to, and coming out on the other side. That is just one thing. This is even talking about contract tracing, trying to sustain the department's programs; it is superhuman now. This is happening in other parts of the state, but we see it every day. You need to know what they are going through and how they are handling it. Again, I can't say enough about them. This will go down in the history books of this department of what they have been able to accomplish with limited resources and the things they had to do. Again, thank you to the staff, and I can't say enough about what they do.

Dr. Ross stated, representing the Board as well, we do recognize just how much pressure the department has been under the past 8 or 9 months. You are doing the best you can every single day. Sometimes with limited resources you do the best you can and putting some of your own health at risk by some of the actions you have to take as part of the public health team. You have his respect and respect of all the board members and the appreciation and understanding of how hard you have worked. If there are needed resources, please get that up to Eric to make sure we, as the Board, are aware of what is required. We will try to do what we can to get you the tools you need to do the best job to protect our communities.

XI. Health in the News – Dr. Ross

- Home Testing: Dr. Woodson talked about home testing for COVID. The test is available by prescription only. Dr. Woodson asked who would receive the results; the State of Ohio, the Federal Government, or local health departments. Eric remarked that COVID is a Class A reportable disease. Once the test is completed, if positive, it will be reported to the prescribing physician who notifies ODH and the local health department. The premise is that we will be notified, and the results will go into our system and be counted as a positive individual, and we will do the contact tracing. Unfortunately, it is a self-administered test, and up to the patient to report the results to their physician.
- Emergency Orders: Dr. Ross stated that the legislature is talking about significantly limiting the Governor's ability to pass emergency orders. Senate Bill 311 was passed in October, which says only the legislature can issue shut down orders. Dr. Ross indicated he has no problem with the legislature holding the Governor accountable for decisions. Further, he has no problem with an automatic or immediate hearing anytime the legislature could listen and take testimony from the Governor and his health department leaders about why the action was necessary. Many of these are public health issues that need to be acted upon quickly, and this bill is very concerning. The Ohio State Medical Association (OSMA) opposes this. Medical and public health are concerned about this action on the part of our state representatives. This will be going to the Senate today. You are encouraged to contact your representatives after reading the bill. It is bad public health policy to force the Governor to get approval from the legislature to enact emergency orders to benefit the public's health.
- Vaccines: Dr. Ross gave an update on the vaccine availability. We have heard about the new Messenger RNA Vaccines from Pfizer and Moderna. There are three that China is using that they say are very effective and a Russian vaccine they say is very effective too. The science coming from China has been pretty reliable. These are being used on hundreds of thousands of people. An important piece for consideration is if these vaccines will prevent more serious cases of COVID or just prevent the milder cases. This is an important piece we don't have back yet. More vaccines will come that will use more traditional technologies that have been proved to be safe over time.

- Daily Press Releases: Dr. Woodson brought up quotations from people about pop up testing. It is stated, "Test results are typically available in 3 – 4 days but may take longer. Those tested are urged to stay home until test results are returned." Is that what we want to say? Dr. Ross suggested that it says, "You are not safe until you have the test results." The public doesn't understand the complexity of the testing issues. Shannon stated that when we do pop-up testing, there is literature that is given to the patient that gives information to the employer of what they should do while waiting for their test results. If symptomatic, you need to isolate, and if not, you need a 14-day quarantine in the event you have had a COVID exposure. If no exposure, you need to quarantine until you get a negative result. Dr. Woodson voiced her concern that people will go and get tested just to get some time off. Eric stated that the epidemiology factors that we see of people getting tested, going to work, and then positive tests come back, and now we have to quarantine or isolate individuals. Dr. Ross stated that this was a problem with people and medical leaves. People used it to get some time off; some of that may be true. Some companies went to just giving personal time that people could use for sick or personal time off. As a physician, we have seen people come to the doctor's office just to get time off. Dr. Woodson asked Eric if he would look into changing the wording on the form. Dr. Ross stated it is more important that people who think they need to be tested to not have a barrier to the testing. If they go back to work after they are tested and are positive, we will have a great contact tracing effort and further exposure and even more people off work. Eric added that looking at the epidemiology link, we see people getting tested then going to work. A significant amount of our time is in quarantine and isolation. We have an excessive amount of spread in the community. That is why ODH and other health departments are saying, "If you can, we are advising you not to go to work." "If you think you are sick, don't go to work." Eric will work with Shannon and ODH to see if we can come up with some different wording.
- Dr. Munk remarked on the latest press releases from Pfizer and Moderna. 8 vaccinated patients got COVID and had fewer signs and symptoms. Similarly, Pfizer had 9 such patients. Even if not 100% effective, it still dampened symptoms of those who became infected. Dr. Ross said that we would like to see the data once it is received from independent research and not directly from the vaccine manufacturers. In a month or two, we will be receiving more data. Our challenge will be getting shots in arms. If we can hang strict with the traditional public health things we did to flatten the curve the first time for the next 6 to 8 weeks, we will have good vaccine science.

(Resolution 2020.10.189) A motion was made by Donald Murray and seconded by Dr. Woodson, to adjourn. Motion carried, 8 Yeas, 0 Nays at 11:37 AM.

Signed By:



Johnathon Ross, MD, President Date
Lucas County Regional Health District Board

12/17/2020

Attested By:



Eric J. Zgodzinski, DrPH, MPH, RS, CPH Date
Secretary to the Board of Health

12/17/20