

# BOARD OF HEALTH MINUTES

## November 2, 2017

The Greene County Board of Health met in regular session Thursday, November 2, 2017, at the Greene County Public Health office. The meeting convened at approximately 6:34 p.m. In attendance: Scott Filson, President; Andrew Root, Vice President; William Beeman, Sharon Christman, Scott Hammond, Elaine Hughes, Melvin Johnson, Charlene Montague, Kathy Saunders, Thomas Selden, Nancy Terwoord and Teresa Zryd. Staff in attendance: Melissa Howell, Secretary; R. P. Dillaplain, MD, Medical Director; Susan Martin, and Jeff Webb.

### ADOPTION OF AMENDED AGENDA

Health Commissioner Howell noted the following requests to amend the agenda:

1. A request was received today from the City of Fairborn for waiver of taxes.
2. Dr. Dillaplain requested the opportunity to speak on dementia.

#17-11-02-2. Ms. Montague moved to adopt the amended agenda. Dr. Johnson seconded the motion.

The amended agenda was adopted by acclamation.

### MINUTES OF PREVIOUS MEETING

#17-11-02-3. Dr. Zryd moved for the approval of the minutes of the October 5, 2017, Greene County Board of Health meeting. Ms. Hughes seconded the motion.

The motion carried by acclamation.

### PRESENTATION

Health Commissioner Howell presented an overview of the 2017 Greene County Community Health Improvement Plan.

#17-11-02-4. Dr. Johnson moved to approve the 2017 Greene County Community Health Improvement Plan. Mr. Hammond seconded the motion.

The motion carried by acclamation.

### FINANCIAL REPORTS

Health Commissioner Howell highlighted items from the voucher summary, appropriation transfers, fund transfers and October income and expenditure report and answered board questions satisfactorily.

#17-11-02-1. Dr. Zryd moved to approve the bill/voucher summary, appropriation transfer(s), between meeting appropriation transfer(s), fund transfer(s) and the income and expenditure report. Ms. Hughes seconded the motion.

The motion carried by acclamation.

### **ENVIRONMENTAL HEALTH**

Mr. Webb, Environmental Health Director, requested a resolution including a technical correction to the resolution permitting the health commissioner to suspend a retail food establishment and/or food service operation license when it presents an immediate danger to the public health as requested by the Ohio Department of Health during the program's recent survey.

#17-11-02-5. Dr. Zryd made a motion for the following resolution with clerical corrections:

WHEREAS: Ohio legislature passed new Retail Food Establishment and Food Service Operation Laws and Rules effective March 1, 2001 and revised said laws on November 29, 2001; and

WHEREAS: The Ohio Revised Code Chapter 3717.01 states that the Greene County Board of Health is the licensor for Retail Food Establishments and Food Service Operations within a jurisdiction. Hereinafter, the Greene County Board of Health will be referred to as the licensor, and Retail Food Establishments and Food Service Operations will be referred to as licensee.

WHEREAS: Ohio Revised Code Chapters 3717.29 (C)(1) & (D)(1) and 3717.49 (B)(1) & (C)(1) state that if a licensee is in violation of any requirement of this chapter or any rule(s) adopted thereunder the licensor may issue notice of violation(s), and/or for situations that create an immediate danger to the public health, the licensor may suspend the licensee's Retail Food Establishment License and/or Food Service Operation License without giving written notice or affording the licensee the opportunity to correct the violation(s); and

WHEREAS: Ohio Revised Code Chapter 3717.29 (C)(1) & (D)(1) and 3717.49 (B)(1) & (C)(1) provides for the licensor to authorize the health commissioner and/or designee employed by the licensor to issue notice of violation(s) with a reasonable time to correct the violations for situations that are not an immediate danger to the public health and for the health commissioner only to suspend a Food Service Operation License or Retail Food Establishment License in situations where there is an immediate danger to the public health; and

WHEREAS: The health commissioner that suspends a license under this authority may, on determining that there is no longer an immediate danger to the public health, lift the suspension without consulting the licensor, and

WHEREAS: On June 5, 2003, the Greene County Board of Health passed Resolution #03-06-05-4 authorizing the health commissioner and/or designee(s) to not only issue notices of violation that are not an immediate danger but also suspend the license of a Food Service Operation or Retail Food Establishment where there is an immediate danger and,

WHEREAS: On April 6, 2006, the Greene County Board of Health authorized a technical correction of Resolution #03-06-05-4, to authorize only the health commissioner as the licensor's designee to suspend the license of a Food Service Operation(s) and/or Retail Food Establishment(s) that present an immediate danger to the public health.

WHEREAS: The licensor desires to amend the Resolutions #03-06-05-04 and #06-04-06-4 to allow the health commissioner to suspend the license of a Food Service Operation or Retail Food Establishment under Ohio Revised Code Chapter 3717.29 (C)(1) & (D)(1) and 3717.49 (B)(1) & (C)(1) in situations where there is an immediate danger to public health as recommended by the Ohio Department of Health, and

WHEREAS: The Greene County Board of Health of the Greene County Combined Health District desires to provide routine inspection(s) and notices of violation(s) for Food Service Operations and Retail Food Establishments, and for the immediate emergency suspension of Retail Food Establishments/Food Service Operations that present an immediate danger to the public health.

RESOLVED: This second day of November 2017 that the Greene County Board of Health authorizes the technical correction of Resolutions #03-06-05-4 and #06-04-06-4, to authorize the health commissioner as the licensor's designee to suspend the license of a Food Service Operation(s) and/or Retail Food Establishment(s) that presents an immediate danger to the public health. Ms. Hughes seconded the motion.

The motion carried by acclamation.

#### **COMMUNITY HEALTH SERVICES**

No report.

#### **HEALTH COMMISSIONER'S REPORT**

Health Commissioner Howell highlighted items from the Health Commissioner's Report and answered board questions satisfactorily.

#### **COMMITTEE REPORTS**

Administrative Evaluation Committee – No report.

Finance/Audit Committee – No report.

Personnel Committee – No report.

Planning and Evaluation Committee – No report. Mr. Hammond noted to the board that the Planning and Evaluation Committee would be scheduling a meeting prior to the December board meeting to review the performance management plans.

#### **EXECUTIVE SESSION**

No Executive Session.

#### **PERSONNEL**

Health Commissioner Howell reported that Christine Propes, former account clerk, has accepted a position in Environmental Health as sanitarian-in-training.

#### **OLD BUSINESS**

No Old Business.

## NEW BUSINESS

The City of Xenia comes before the board requesting a waiver of delinquent taxes on one parcel located at 607 East Second Street, Xenia, Ohio 45385.

#17-11-02-6. Mr. Selden move to approve the release of claim of delinquent and current taxes for the following foreclosed and/or abandoned residential properties:

Property ID# M40000200110001800                      607 East Second Street, Xenia, Ohio 45385

The waiver of taxes applies to foreclosed or abandoned properties; once the properties are purchased or ownership is assumed, the full taxes will be reinstated. If the properties are sold, the total maximum amount of taxes waived minus the cost of upkeep, should then be reimbursed from the proceeds of the sale on a prorated basis with all other Greene County taxing entities who have waived taxes. Dr. Zryd seconded the motion.

The motion carried by acclamation.

Health Commissioner Howell requested a resolution approving health commissioner attendance at meetings with the Association of Ohio Commissioners.

#17-11-02-7. Dr. Zryd moved the following resolution as presented:

**WHEREAS** the purpose of this resolution is to outline the duties and responsibilities of being a board member of the Association of Ohio Health Commissioners and what that commitment means to Greene County Public Health both financially and in personnel commitment; and

**WHEREAS** the board, on its own motion and after review and consideration of the current budget has examined the language in sections 1, 2, and 3 regarding the board's commitment;

**NOW THEREFORE BE IT RESOLVED**, the Greene County Board of Health, under the authority of the Ohio Revised Code, accepts the conditions that:

**Section 1:** Being a member of the AOHC Board is important and at times can be a time-consuming obligation. On average, the duties of a district representative may take approximately 30 hours and 480 miles per month. Between AOHC meetings, a member of the AOHC Board is expected to participate in and contribute to Public Affairs and the West Central District meeting. These meetings are held in Columbus and various locations in West Central Ohio. The Board of Health recognizes the obligation to remunerate the health commissioner for both time and mileage when engaged in AOHC business.

**Section 2:** Additionally, a district representative is required to vote on matters from a West Central Ohio consensus viewpoint, and to participate in meetings with a similar voice. Directors are required to exercise the position with competence and diligence in the best interests of AOHC. They owe a "fiduciary duty" to the organization. The duty is "fiduciary" because the obligation to act in the best interests of AOHC, at its core, is an obligation of loyalty, honesty

and good faith that may conflict with the priorities of Greene County Public Health. The board of health also recognizes the prerequisite of fiduciary duty associated with the position.

**Section 3:** Timely responses to all pre- and post-meeting communications and actions are very important and may subordinate, disrupt or delay the normal health district activities of the health commissioner. In all, participation on the AOHC Board carries with it a significant amount of responsibility and effort. In return, the health district will have the opportunity to participate in an important process, contribute to public health, and network with some outstanding industry leaders. The Greene County Board of Health recognizes the requirement that the current duties of the health commissioner may be occasionally subordinated, disrupted or delayed.

**WHEREFORE**, this resolution shall take effect and be in full force November 2, 2017, and a copy of resolution shall be maintained electronically at Greene County Public Health's offices for proper record keeping and reporting purposes. Ms. Terwoord seconded the motion.

The motion carried by acclamation.

As per the Greene County Board of Health Bylaws, Mr. Filson appointed the following Nominating Committee members to develop and present a slate of officers for 2018 to be presented at next month's board meeting:

Melvin Johnson, PhD, Chair  
Thomas Selden  
Nancy Terwoord

The City of Fairborn comes before the board requesting a waiver of delinquent taxes on two parcels located at 328 West Funderburg Road, Fairborn, Ohio 45324.

#17-11-02- 8. Dr. Zryd move to approve the release of claim of delinquent and current taxes for the following foreclosed and/or abandoned residential properties:

Parcel ID# A02000200160054400	328 West Funderburg Road, Fairborn, Ohio 45324
Parcel ID# A02000200160054400	328 West Funderburg Road, Fairborn, Ohio 45324

The waiver of taxes applies to foreclosed or abandoned properties; once the properties are purchased or ownership is assumed, the full taxes will be reinstated. If the properties are sold, the total maximum amount of taxes waived minus the cost of upkeep, should then be reimbursed from the proceeds of the sale on a prorated basis with all other Greene County taxing entities who have waived taxes. Ms. Hughes seconded the motion.

The motion carried by acclamation.

### **ADDITIONAL BUSINESS**

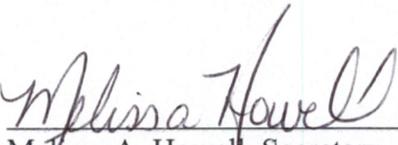
Dr. Dillaplain provided a presentation to the board on dementia and answered board questions satisfactorily. The board discussed the impact of dementia on caregivers and family members.

Mr. Filson mentioned a recent news report about the governor's ability to declare a public health emergency regarding the opiate epidemic. Health Commissioner Howell stated that the declaration would allow funding and resources to be released into the community to help address the epidemic.

#17-11-02-9. Dr. Zryd moved to adjourn. Ms. Terwoord seconded the motion.

The November 2, 2017, Board of Health meeting adjourned at approximately 7:44 p.m.

  
\_\_\_\_\_  
Scott Filson, President

  
\_\_\_\_\_  
Melissa A. Howell, Secretary