

## **BOARD OF HEALTH MINUTES FEBRUARY 7, 2019**

The Greene County Board of Health met in regular session Thursday, February 7, 2019, at the Greene County Public Health office. The meeting convened at approximately 6:31 p.m. In attendance: Andrew Root, President; Jane Clifton, Scott Filson, William Harden, Melvin Johnson, Charlene Montague, Kathy Saunders, Tamisha Samiec, and Thomas Selden. Excused: William Beeman, Scott Hammond, Elaine Hughes and Nancy Terwoord. Staff in attendance: Melissa Howell, Health Commissioner; Kevin Sharrett, MD, Medical Director; Robyn Fosnaugh, Susan Martin, Rick Schairbaum, Noah Stuby, and Jeff Webb. Guests in attendance: Jenny Marsee and Eileen Moran, Regional Air Pollution Control Agency.

Mr. Root, "Let's call to order the February 7, 2019, meeting of the Greene County Board of Health. I'd like to introduce to folks here tonight, we have Jenn Marsee and Eileen Moran from the Regional Air Pollution Control Agency and we will, they're here to answer any questions and the we're going to have a first reading of the new fee structure. And we're going to move what's going to be in five B. We're moving that up to, we'll make it 3 B. Right after approval of the minutes. We also have Drew Piersall here. He is our, an attorney that advises us on a number of matters from Columbus. He's going to talk a little bit about the Ohio Public Records and Open Meetings law. Welcome, Drew, thanks for being here. And last, but certainly not least, I'd like to introduce our newest board member, Jane Clifton. Why don't you tell us a little bit and then what I neglected to do and Bill Harden, thank goodness you're here because I should have gone around and had us tell a little bit about each other. So, Jane (Clifton), just tell us a little bit about where you're from and then we'll do the same."

Ms. Clifton, "I'm Jane Clifton. I'm from Fairborn. I've been a resident of Fairborn for about 47 years. My kids have grown up there. I am actually an RN. I worked 39 years at Miami Valley Hospital in the Berry Family Health Center which was the residency program for the family medicine residents. Then, also, worked in the hospital too in different areas, but the majority of the time was... The last five years I went over to Good Sam because our program at Miami Valley merged with that program. I worked with two of the board members for the family medicine program there. Then I that became Five Rivers Family Health Center, so I worked for Five Rivers probably for my last four years. So, I'm familiar with Five Rivers. I'm familiar with FQHCs and family medicine. I have two daughters. They both live in Fairborn. They're both teachers. I have two sons-in-law. One a Beavercreek Police Officer and one is a bailiff for Kettering Court. My husband is deceased. He was a teacher in Fairborn and then he was a principal in Xenia and then came back to Fairborn as superintendent before he passed away. I've always enjoyed living in Fairborn. I've been on several boards, different boards, and I hope that I can contribute to this board too."

Mr. Root, "Well, welcome, Jane."

Ms. Clifton, "Thank you."

Mr. Root, "We're really glad to have you. Wow, what a background. It's perfect for this board. I'm Andy Root. I'm the board chair. I am an attorney. I was in private practice for 25 years in

Xenia. I'm now a magistrate in Montgomery County Domestic Relations Court and I was appointed, I live in Xenia, but I was appointed by Beavercreek. Just don't tell them. Tom (Selden), do you want to say a couple of things?"

Mr. Selden, "Sure. I'm Tom Selden. I live in Cedarville Township. I've been on the board a long time. I'm appointed by the District Advisory Council and I retired from federal civil service at Wright Pat. I was in systems acquisition."

Dr. Samiec, "I'm Tami Samiec. I'm a Xenia representative and I have been on the board, I think, just over a year. I'm a neonatologist at Miami Valley which is probably why you look familiar to me."

Mr. Harden, "My name's Bill Harden and I've been, I've worked at the coroner's office. I've worked for the county for the last 43 years and I've just recently got on the board."

Ms. Montague, "I'm Charlene Montague and I live in Beavercreek. I've been on the board a long time and I was a school teacher and I remember your husband. I was a GRADS teacher with the career center and then after that I worked at MRDD with Early Intervention. The Help Me Grow program."

Mr. Filson, "My name's Scott Filson. I'm from Xenia. I've been here most of my life. I'm the manager of the Xenia Demolition Landfill. I've been on the board since, I think, 2011. I proceeded our current board president had the pleasure of doing that for several years. Welcome."

Ms. Clifton, "Thank you."

Ms. Saunders, "I'm Kathy Saunders. I'm a member-at-large from Ceasarcreek Township which is down towards Wilmington and I work at the Salvation Army as the assistant director of finance."

Dr. Johnson, "I'm Melvin A. Johnson, Jr. Been on the board forever. I can't remember my first term. I do know that it's sometime following that of my cohort over here, Tom Selden. I've been president of the board and I'm now chair of the Personnel Committee and I'm a very avid member of the Evaluation Committee for the, Melissa Howell, our health commissioner. And, I've enjoyed every moment of serving on this board. It's had some good days and it's had some bad days. We've had some discussions and non-discussions and we've had some disagreements and we've had some agreements but, I believe, it is one of the best boards that Melissa (Howell) will ever have. And, with the addition of the new people, it makes it even greater. Thank you."

Mr. Stuby, "I'm Noah Stuby. I'm the administrative officer here so I've been in public health for a little over five years, but I've been with Greene County for close now to about three months. So, I'm relatively new here. I primarily oversee finance, but I'm involved in some other aspects of the health department as well. So, you'll primarily hear me talk about finance."

Dr. Sharrett, “I’m Kevin Sharrett. I’m the medical director and family physician and Greene County Coroner.”

Ms. Fosnaugh, “I’m Robyn Fosnaugh and we kind of re-met yesterday.”

Ms. Clifton, “Yes.”

Ms. Fosnaugh, “We recognized each other from the hospital. I’m the Director of Community Health Services and we have transitioned, which is kind of like the old director of nursing position, but Community Health Services included WIC here, and the dental clinic, and health education for a time, but we transitioned our clinics out to Five Rivers. There’s some other important things that we can talk about later.”

Mr. Webb, “Hi, I’m Jeff Webb. I’m the Environmental Health Director here at the health department.”

Health Commissioner Howell, “And, I’m Melissa (Howell), we went through orientation yesterday. Glad you’re here.”

Ms. Clifton, “Thank you.”

Mr. Root, “Welcome, again. Well, let’s move on to the adoption of the agenda. I’m going to talk in New Business, I’m going to add a C. I’m going to make one new committee assignment. I’ll get to that later. Is there a motion to adopt the agenda?”

Ms. Martin, “As amended.”

Dr. Johnson, “Thank you, Dr. Johnson. Is there a second?”

Mr. Filson, “Second.”

Mr. Root, “Scott (Filson), thank you. Any discussion? All those in favor signify with an aye. Any opposed same sign? Motion passes.”

#### **ADOPTION OF AMENDED AGENDA**

#19-02-07-2. Dr. Johnson moved to adopt the agenda. Mr. Filson seconded the motion.

The motion carried by acclamation.

#### **MINUTES OF PREVIOUS MEETING**

Mr. Root, “We’ll move on to Item three, approval of the meeting minutes from the January 3, 2019, meeting. I have one change on page three, right under the heading presentation, second paragraph, it says that I asked if there was a cap on benefits that a child can receive. I don’t recall asking that question and I don’t remember who did but, it’s not a big deal. It’s a good question, so I should get credit for it I suppose, but...Any other changes? Corrections? Hearing none is there a motion to approve the January 3 meeting minutes as amended?”

Ms. Montague, “So moved.”

Mr. Root, “Thank you, Charlene (Montague). Is there a second?”

Mr. Selden, “Second.”

Mr. Root, “Thank you, Tom (Selden). Any discussion? All right. All those in favor signify with an aye. Any opposed? The motion passes.”

#19-02-07-3. Ms. Montague moved to approve the minutes of the January 3, 2019, meeting as amended. Mr. Selden seconded the motion.

The motion carried by acclamation.

Mr. Root, “Before we hear the presentations, I think we’re going to hear from the ladies from Regional Air Pollution to answer any questions that we might have before we hear the first reading of the Regional Air Pollution Control Agency fees.”

Ms. Moran, “We weren’t really going to, there’s really not a presentation. We are willing to answer any questions you might have over the fee schedule that is before you for the first reading.”

Health Commissioner Howell, “So, you should have a copy of the fees at your place and the industries that are affected. I’m assuming these are all Greene County facilities.”

Ms. Moran, “Yes.”

Health Commissioner Howell, “Most of them being \$100.00. So, if you have any questions for them, we can do that. For those of you who are new to this board, we are required to have three readings of all environmental health fees. This is the first of those readings. At the second reading, that’s when we have a public hearing where any outside agencies may come in and comment as well. And then the third reading is where we, typically, adopt the fees.”

Mr. Root, “Any questions? There’s probably not any questions because you did such a good job last month of presenting all of this to us.”

Ms. Moran, “Well, certainly, if anybody thinks of anything, we’d be glad to ...”

Mr. Selden, “I have one. On the fees that were listed, that we’re asking for, you stated that they were last revised in 1991 but I didn’t see the 1991 figures. I don’t know how much the figures have changed from 1991.”

Ms. Moran, “Well, actually, Greene County was, they were paying \$18,000.00 to us out of the local tax payer money, I’m assuming, the auditor or treasurer. Then are only two facilities that have been paying, previously. That was the Fairborn Cement Plant and Wright Patterson Air Force Base. Wright Patterson paid \$2,000.00 a year and Fairborn Cement paid \$1,500.00. And

other than that, there were no other facility fees in place simply because it was based on emissions and those were the biggest facilities in the area.”

Mr. Selden, “So these, these fees then would be the first time that the other activities have been charged.”

Ms. Moran, “That is true.”

Ms. Marsee, “With the adoption of this fee schedule, we would not collect the money from Greene County any longer but, we would just strictly just transition to a user fee.”

Mr. Root, “All right. Any other questions? All right. Well, ladies, thank you once again. I appreciate it. The good news is that we don’t actually have to read this out loud. It’s going to be part of our ...”

Ms. Montague, “How are the fees determined?”

Ms. Marsee, “Well, the fees are determined, it’s based on a few different factors. The first is the number of processing that is going to happen at (unintelligible). There is a base fee based on that and then there are additional fees depending upon how complicated the facility is. There’s three different tiers of permitting like similar to food licensing. So, the higher the tier is the higher the charge is for that category. And then there are other charges based on risk factors that have to do with the number of federal regulations that apply, so if you are a facility that has federal regulations it’s more complicated and there is more things that go into it so then their fee is higher.”

Ms. Moran, “The highest, the highest fees would be...”

Ms. Marsee, “They are also the largest facilities, probably, two of the largest facilities we have in our entire area and there are many federal regulations that apply to those folks. We have reached out to a number of the facilities firsthand. We’ve called and made several number of phone calls. We haven’t heard any concerns.”

Ms. Moran, “We did mail letters (unintelligible).”

Mr. Selden, “Have you contacted that base yet?”

Ms. Marsee and Ms. Moran, “Yes.”

Ms. Marsee, “They were first on the list. Some of them already knew about the fee. They knew we were going to be implementing it just because they had been following Montgomery County. Most of them were not surprised.”

Mr. Root, “If there are no other questions, ladies, thank you. Appreciate it very much. We will consider this our first reading of these fees.”

<b>GREENE</b>			
<b>Facility ID</b>	<b>Facility Name</b>	<b>Proposed</b>	<b>Current*</b>
<b>TV/Large</b>			
0829700165	CEMEX Construction Materials Atlantic, LLC	\$9,125.00	\$1,500.00
0829700441	Wright-Patterson Air Force Base	\$16,000.00	\$3,000.00
<b>FEPTIO/Medium</b>			
0829060557	ALI INDUSTRIES, INC.	\$750.00	
0829100409	CIL ISOTOPE SEPARATIONS, INC.	\$625.00	
0829710020	VALLEY ASPHALT CORP - PLANT #11	\$1,625.00	
<b>MINOR/Small</b>			
829060629	CHUCKS BODY SHOP	\$100.00	
829065002	Jims Body Shop and Towing	\$100.00	
829065005	Valentine Buick GMC	\$100.00	
829100400	Jeff Schmitt Cadillac	\$100.00	
829100612	HEINZ AUTO REPAIR	\$100.00	
829710613	WAYSIDE COLLISION CENTER	\$100.00	
829000704	Kroger Fuel Center - A811	\$100.00	
829010297	SITE FOOD MART #104	\$100.00	
829020271	BELLBROOK BP - DUNCAN OIL CO.	\$100.00	
829020275	SHELL-TRUE NORTH ENERGY 734	\$100.00	
829020327	BELLBROOK MARATHON	\$100.00	
829030472	Flagway Inc. #17	\$100.00	
829060262	Kwik Trip	\$100.00	
829060283	SPEEDWAY SUPERAMERICA LLC #1172	\$100.00	
829060320	SPEEDWAY SUPERAMERICA LLC 5222	\$100.00	
829060338	BP # 564	\$100.00	
829060365	Fairborn Marathon	\$100.00	
829060371	CLARK GAS STATION	\$100.00	
829060372	CLARK GAS STATION	\$100.00	
829060477	SPEEDWAY SUPERAMERICA LLC 1262	\$100.00	
829060500	Fairborn Valero	\$100.00	
829060503	J & R Foodmart	\$100.00	
829060514	MEIJER #107 GAS STATION	\$100.00	
829060568	MARATHON	\$100.00	

829060591	CIRCLE K # 5282	\$100.00	
829060600	BP # 565	\$100.00	
829060601	KROGER FUEL CENTER 830	\$100.00	
829060605	Mobile	\$100.00	
829060628	SPEEDWAY SUPERAMERICA # 5333	\$100.00	
829065024	Valero	\$100.00	
829070290	FLAGWAY, INC. #9	\$100.00	
829070564	D & K FOOD MART	\$100.00	
829090627	SPEEDWAY SUPERAMERICA # 5839	\$100.00	
829100272	TRUE NORTH # 713	\$100.00	
829100274	SHELL-TRUE NORTH ENERGY 727	\$100.00	
829100276	A & A Food Mart	\$100.00	
829100286	XENIA FOOD MART	\$100.00	
829100323	SPEEDWAY SUPERAMERICA LLC -8584	\$100.00	
829100326	HOMETOWN Valero	\$100.00	
829100367	SPEEDWAY SUPERAMERICA LLC 1201	\$100.00	
829100396	Xenia Marathon	\$100.00	
829100408	UNITED DAIRY FARMERS - #237	\$100.00	
829100590	CIRCLE K # 5280	\$100.00	
829100599	STAN'S ONE STOP	\$100.00	
829100614	MURPHY USA # 7397	\$100.00	
829105003	Giant # 570	\$100.00	
829105009	Kroger Fuel Center #829	\$100.00	
829110331	Nippers Corner	\$100.00	
829110368	SPEEDWAY SUPERAMERICA LLC 1202	\$100.00	
829710301	OPEN PANTRY MARKET II	\$100.00	
829710321	SPEEDWAY SUPERAMERICA LLC 5332	\$100.00	
829710356	Gilligan Oil #1235	\$100.00	
829710384	DUNCAN OIL CO.	\$100.00	
829710433	Giant Oil #586	\$100.00	
829710478	SPEEDWAY SUPERAMERICA LLC 1154	\$100.00	
829710566	Giant Oil #583	\$100.00	
829710594	CIRCLE K #5281	\$100.00	
829710606	LOFINOS FUEL	\$100.00	

829790419	SPRING VALLEY GENERAL STORE - DUNCAN OIL	\$100.00	
829800485	SHELL-TRUE NORTH ENERGY 720	\$100.00	
829805001	Costco Gasoline	\$100.00	
829085002	Kroger Fuel	\$100.00	
829100403	NATIONAL CARTON AND COATING COMPANY	\$100.00	
829000701	Sam's Club # 6517	\$100.00	
829000708	Walmart Supercenter # 2124	\$100.00	
829000703	Alpha V.W.	\$100.00	
829710624	BEAVERCREEK - V.W.	\$100.00	
829030625	BOWERSVILLE - V.W.	\$100.00	
829065001	Chadwick V.W.	\$100.00	
829100618	OMEGA V.W.	\$100.00	
829710619	SOUTH BEAVERCREEK V.W.	\$100.00	
829100620	SPRING VALLEY V.W.	\$100.00	
829800622	SUGARCREEK - V.W.	\$100.00	
829115001	Verizon Wireless - Flush	\$100.00	
829105008	Verizon Wireless - Maple Corner	\$100.00	
829065004	Verizon Wireless - Spangler	\$100.00	
829065023	Verizon Wireless Wright Patterson Air Force Base	\$100.00	
829065006	Verizon Wireless-Fairborn	\$100.00	
829100623	WEST XENIA - V.W.	\$100.00	
829110617	YELLOW SPRINGS - V.W.	\$100.00	
829065025	AT&T Corp. - WPABOHRA	\$100.00	
829710626	CenturyLink QCC - Beaver creek POP	\$100.00	
829115002	Cingular Wireless SR 370	\$100.00	
829000707	ATC 273778 Zimmerman	\$100.00	
829075001	ATC 307745 Jamestown	\$100.00	
829100632	AT & T CORP. - OH7590	\$100.00	
829060635	AT & T OHIO - L54132	\$100.00	
829105006	AT & T OHIO - L56126	\$100.00	
829100634	AT & T OHIO - L57610	\$100.00	
829020636	AT & T OHIO L57608	\$100.00	
829105002	AT&T Ohio - Industrial Blvd.	\$100.00	
829065003	American Tower Corp - Wright State OH # 307581	\$100.00	

829000706	American Tower Corp. - Beavercreek, # 307618	\$100.00	
829105004	American Tower Corp. - Xenia # 273875	\$100.00	
829000709	ATK Space Systems Inc.	\$100.00	
829060631	LOWE'S OF BEAVERCREEK # 89	\$100.00	
829100630	LOWE'S OF XENIA # 2603	\$100.00	
829065008	New Cingular Wireless	\$100.00	
829045001	New Cingular Wireless - Cedarville	\$100.00	
829065007	New Cingular Wireless PCS, LLC dba AT&T Mobility	\$100.00	
829710611	TARGET STORE 1128	\$100.00	
829115003	YSI/XYLEM	\$100.00	
829815001	ABRA Auto Body & Glass Xenia	\$100.00	
829115004	EnviroFlight, LLC	\$100.00	
829025001	American Towers East Centerville	\$100.00	
829105010	Verizon Wireless New Jasper	\$100.00	
829065026	Verizon Wireless - South Fairborn	\$100.00	
0829000702	Voss Toyota	\$125.00	
0829010475	Unison Industries Plant 4	\$1,000.00	
0829040591	PYROGRAF PRODUCTS, INC.	\$375.00	
0829060002	WRIGHT STATE UNIVERSITY	\$125.00	
0829060007	STADCO AUTOMATICS	\$500.00	
0829060322	Skyway Cleaners, Inc.	\$375.00	
0829060513	Synagro	\$250.00	
0829065009	WRC Inc	\$125.00	
0829060515	W.M. Fairborn Hauling	\$875.00	
0829060604	Surface Recovery Technologies, LLC	\$250.00	
0829070392	TWIST INCORPORATED	\$125.00	
0829100011	XENIA FOUNDRY & MACHINE CO	\$1,625.00	
0829100118	W A HAMMOND DRIERITE COMPANY	\$500.00	
0829100136	Sunrise Cooperative-Xenia	\$125.00	
0829100294	FILE SHARPENING CO., INC.	\$500.00	
0829100391	TWIST, INC.	\$250.00	
0829100584	Tremac Corporation	\$250.00	
0829100598	WADE'S WOODWORKING INC.	\$125.00	
0829100602	American Metal Technologies LLC	\$250.00	
0829100610	FRANCIS KENNELS, LLC	\$125.00	
0829170252	PHILLIPS SAND & GRAVEL CO.	\$500.00	

0829700045	BARRETT PAVING MATERIALS 321	\$625.00	
0829700575	ERNST ENTERPRISES, INC - FAIRBORN	\$125.00	
0829710085	MARTIN MARIETTA Materials Inc. - XENIA SAND & GRAV	\$500.00	
0829710096	Unison Industries, Plant 1	\$1,875.00	
0829710123	PHILLIPS READY MIX	\$625.00	
0829710357	Ernst 42	\$125.00	
0829710416	Unison Industries Plant 3	\$625.00	
0829710595	PHILLIPS READY MIX #2	\$125.00	
0829710616	Tobias Funeral Home and Crematory	\$125.00	
0829730107	MARTIN MARIETTA MATERIALS INC - CEDARVI	\$625.00	
0829740597	MELVIN STONE COMPANY, LLC	\$250.00	
0829750024	MORRIS BEAN & CO.	\$1,250.00	
0829790583	Martin Marietta Materials Inc - Cook Rd	\$750.00	
0829970609	The Harper Co	\$125.00	
0829810099	XENIA SAND AND GRAVEL INC	\$125.00	
ECM 2/9/18			

Mr. Root, “All right, now we move on to presentations and I neglected to say that Dr. Koraym is not available tonight. He is ill. So, we’re going to have him back in March. Okay? So, Drew Piersall is going to talk to us about public records and open meetings.”

Mr. Piersall, “For those of you that don’t know me, I know we have some new board members, but my name is Drew Piersall. I’m with the law firm, it’s called Zashin and Rich and we’re based in Columbus. I’ve represented this health department for about five years now, if you can believe that. But my colleague Jonathan Downes, some of you may know him as well, he’s represented you for even longer. So, I know some of you very, very well because I have defended you before. You know who you are. So, I advise the health department on issues that pop up from time to time. I’m a labor and employment attorney. So, whenever you have personnel issues, not that you have a lot but to the extent that you do I speak with Melissa (Howell) and Susan (Martin). Those are my two, I won’t say primary, but only points of contact. So, those are the two folks I speak with at the health department whenever you have an issue pop up. But, also, I spent eight years at the Ohio Attorney General’s office prior to working for the law firm. So, I like to think I know a couple of things about public records laws, Sunshine Law, open meetings. That’s where I learned a lot of this subject matter. But we continue to advise any number of public sector clients, we represent, our practice is predominantly public sector. So, we continue to run into public records issues, open meetings, Sunshine Law, those types of areas. So, we represent any number of health departments throughout the state, northeast, southwest or wherever in between. So, we are very familiar with public sector. We are very familiar with

health departments. We are very familiar with public records laws. If you want, I know this is very titillating stuff but if you really want to have a lot of fun, we have a two-day seminar on public records that gets down to the nitty gritty of this stuff. So, I don't think we need to do that today. One, you know, getting, delving into the subject matter of my, you know, presentation, the public records law is, you know, sort of a wild, wild west a few years ago until things sort of became codified, solidified. So, we didn't have a lot of guidance or enforcement. Fortunately, things have kind of changed and settled down a little bit. So, we have some pretty clear guidance out of the Ohio Attorney General's office and I still talk to their folks over in the constitutional law offices; sort of oversee, oversee the public records program here in Ohio. So, those are good resources for us to have. We have their ear whenever we need it, but things are becoming much clearer as the years go by and things become a little bit clearer. We get more guidance. We get more cases. But, within the last few years, unfortunately, one of sort of the big, big cases in this area came out of Greene County with your Children Services Board. There was a decision issued back in 2014 by the Court of Appeals down here and, unfortunately, the Children Services Board was doing some things, you know, I'll kind of be blunt, they were trying to get rid of their executive director and they did not go about doing so in an open and transparent manner as required by the public records law. They were going into, and we'll talk about this here is a little bit, but they were going into executive session which of course you're perfectly entitled to do but when they did that they were just saying 'we're going into executive session for personnel reasons.' Well, as you'll see from my nifty handout, you can't announce 'we're going into executive session for personnel reasons.' There's eight specific reasons delineated in the Ohio Revised Code to go into executive session. You have to announce one of those eight reasons when you go into executive session and then, I'll pass out a handout that details those, but when we go into executive session, we have to announce one of those eight reasons. You can't, and I've reviewed your minutes and I'm not trying to cast dispersions or blame anyone, I know this isn't the most fun stuff to talk about, I'm very aware of that, but where things, and I bring up the Children Services Board case for a specific reason because in that case the Children Services Board was not going into executive session properly. They were voting in executive session which I hope by now we all know is a big no no. They were discussing things other than personnel in the executive session. Once you go into executive session for reason x, all of your discussions have to pertain to reason x. You can't go outside the scope of why you went into executive session. But where things got dicey for them is that there's no public records law police. The public records law police is anyone in the State of Ohio and if you, anyone can bring an action against any public agency that they believe has violated public records law. And, what that means for you is, you might say 'are there really people willing to sit out there and go after public agencies for public records violations?' The answer is yes. There's a lot of them that would love nothing more than to sue you for a public records violation. Now for each violation, let's say you went into executive session improperly, you discussed something in executive session that didn't fall under the scope of the reason for going into executive session; its \$500.00 a violation. But that's, frankly, not the big deal. The big deal is you can seek attorney fees because State of Ohio wants public bodies to operate in a transparent fashion and to encourage the operation in a transparent fashion, they award attorney's fees to individuals who sue public agencies and if it is a meritorious claim you are entitle to attorney's fees. So, I say this not to scare you, but to kind of scare you in that in the Children Services Board case, we're talking \$120,000.00. That's what they had to cough up in that situation. Granted, there were some other issues going on there. It was determined that they improperly terminated their executive director.

So, they had to award her back pay. But I think that number, I hope, if anything gives you a little bit of sticker shock that we're talking real numbers here. Real money. Even if it is a minute violation, you know, they get their \$500.00 per statutory violation but then to enforce that right, we're talking attorney's fees and those numbers could be ...and that doesn't include the amount that you have to defend yourself against the case which I'm sure was a similar number. So, by the end of that, and I don't know it precisely, but I'm sure that by the end of that case your Children Services Board probably coughed up close to \$250,000.00 on a public records violation. Again, not to scare you but to kind of scare you a little bit. If we have those types of violations, then the numbers can get really high really quickly as we all know court cases are not a cheap thing to undergo. So, what I'll do now is I'll pass out, I think I have 13 copies, I didn't know how many people would be here but a couple of years ago we put together, we put together sort of a cheat sheet and actually any number of our clients, I've seen it all over the state. It always makes me smile when I see it sitting in a board room for a public agency. I've seen a lot of agencies laminate that and just kind of stick in the board room for when they go into executive session. But that delineates the eight difference reasons for when you go into executive session. They're on there. And, I've read your minutes, your meeting minutes, so, I would just caution you that when you do go into executive session you have to identify one of those eight specific reasons that are delineated on that list. If you're talking about a personnel matter, like I said, you can't just say 'we're going in to talk about personnel.' If its promotion, you know, demotion, compensation, if there is a charge against a particular employee, you have to say, 'we're going in to discuss potential termination.' If there is a pending legal matter for threatened litigation, 'you have to say, 'we're going in to talk about threatened litigation.' The Ohio law is very clear. You don't have to say, 'we're going in to talk about threatened litigation by so and so.' You don't have to name the group that is threatening to sue you or has sued you. Similarly, you do not have to name the employee. Well, we don't have to say, 'we're going in to talk about the potential promotion of so and so.' Or the compensation of an employee, you don't have to do that but, you do have to pick one of the eight reasons that are delineated on that sheet. So that's issue number one. Issue number two, you need to take a roll call before you go in and that needs to be recorded. Obviously, if a majority of the board does not vote to go into executive session, we don't go into executive session. What I mentioned previously, once you're in executive session you have to stick to the topic. You know, I can't give you, you know, black and white ground rules as to what relates to a topic and what doesn't but if we're getting far afield from the topic and I've been in plenty of executive sessions in my day where things start getting far afield. The reason we go into executive session and somebody like me says 'you know guys we need to bring it back around and focus on what we're talking about in executive session, the stated reason for going into executive session.' So, you know, that's another issue. There is proper way to go into it. You have to take your roll call. Once you're in it, you have to stick to the topic at hand. Coming out of executive session, you know, clearly you can't take a vote. You can't take straw polls when you're in executive session. It is a clear violation of the law. What I would also caution you is, you know, when you come out of executive session, you know, I probably would not ask 'does anyone have a motion?' Coming out of executive session because that looks like you took a straw poll in executive session. Maybe you didn't but if you're marking, if you're saying, you know, 'does anybody have any motions? Does anybody want to raise anything?' It just gives the appearance that something was discussed in executive session and you just voted or took a straw poll on that particular subject matter. So, when we're in executive session stick to the topic. When we come out of executive session, you know, be cautious on how you proceed

immediately after coming out of executive session. Again, the reason I tell you this, if you don't think there is people out there trolling your minutes, I can assure you there are and I can assure you there's attorneys, some would call them bottom feeders, that are sitting out there reading your minutes trying to figure out whether or not you are doing this properly and they're more than willing to sue you. There's two guys a few years ago that made a cottage industry of going around the State of Ohio and hitting up small jurisdictions for large, large amounts. That's all they did. They're doing it in the interest of transparency. That's what they would tell you. So, those types of things we do need to keep in mind. Other things that we need to talk about, committee meetings, I know, I understand how boards functions. You have committees, things like that but what I will caution you is, if you, I have even done this, and I have meetings with certain board members, we always have to be cognizant and aware of the number of board members that are involved in a meeting. And, I've kicked plenty of people out rooms once we get close to a majority because we just don't want ever to create the appearance of, you know, you're unintentionally having a board meeting or too many people walk into the room. Things of that nature. So, again, I've had it happen. I can assure that I've been in meetings not far from here where people are counting how many board members are in the room with the lawyer. Things of that nature. So, if you're having meetings and conversations, sort of the old days of having, you know, personnel committee meetings, you know, informally or, I'm not singling you out, but just any type of sub-committee that you guys might have here with the board of health, if you're having sort of committee meetings. As soon as a majority or a quorum hits and you don't notice that meeting, then we're in violation land. That's where we get into issues. Sort of informal meetings be cognizant of the fact of, you know, once we hit a majority that means there's a meeting and that means that it has to be properly noticed and if it's not, we're back into violation world and back into attorney fee world. Keep in mind too, the other issue I wanted to talk about with you guys is what is a public record and if you guys are reducing things to writing and it's memorializing the functions of your board or the functions of this health department, it's a public record. Again, as long as the public records law are out there and there is an incentive for other people to try to sue you or if they think something exists, you know, actually today I got an email from a different health department in the state, the other side of the state, where someone from a dummy email account which you are perfectly entitled to, you don't have to identify yourself to make a public record request was requesting very sensitive information about employees. You know, we don't know where its coming from, you know, we don't know what they're going to do with that information. They wanted ages. Are they teeing up an age discrimination lawsuit? I don't know but there are people out there that are looking for those types of things. So, if we're putting things in writing, you know, they don't even necessarily have to be used for decision-making purposes. If they're memorializing the functions of this board, the functions of this agency, it is a public record."

Mr. Selden, "When you talk about public record and availability of it, topic of employees ages, it just hit me, there's also privacy laws."

Mr. Piersall, "That's exactly right. Public records doesn't mean you get, back a few years ago, someone, it was actually a gang case out of Columbus, and they wanted the personnel files for all the cops that were working that case. And, this was kind of in the wild, wild west of public record laws. We have cases, we have lawsuits which create the law. So, back then there was really no privacy interest for these law enforcement officers and we, they had to fight it out

because the gang wanted this information on the group. A date of birth, you can't go in and say, 'I want all the social security numbers for the Greene County board members.' Those are clearly private. Ages, not so much. There is only some information is protected and some is not."

Mr. Selden, "How about ages and names?"

Mr. Piersall, "No. If somebody comes in and says, 'I want a roster.' I assume you maintain a roster. They get the roster. I mean..."

Mr. Selden, "Okay."

Mr. Piersall, "The fact that you work at a public agency is probably the most public thing out there. Anybody can come in and say 'I want all the payroll records. I want to know who everybody is on the payroll at Greene County Public Health.' Ages, you know, anytime we get into like races, gender, ages and things like that, we get into some gray area. We're going to have to figure out if we give up dates of birth. Yes, absolutely, there is privacy interests that attach. But, certain things like, typically, kind of the rule of thumb that has developed, if you can go on Google and Google it and figure it out then that's probably, you know, you can find date of birth records. Birth records are out there. You can find them. So, date of birth is probably not protected. But, clearly things like social security numbers, you know, even residential addresses sometimes, if you own your own home that's, you can go to the auditor's website and figure out where Tom Selden lives. I know it's over by Cedarville. So, yes, those are some of the things that, yes, there is absolutely privacy interests and confidentiality interests. The public records doesn't mean, you know, that somebody's personnel file when they're providing certain information, absolutely, that's not going to be given out. Yes, sir?"

Mr. Harden, "I thought 149.43, I thought if you're not generating that type of record, you didn't have to show that."

Mr. Piersall, "That's absolutely true. That's the other issue that we're getting into here. If somebody comes in and says, 'I want a roster of all your employees.' You maintain, every agency maintains that. But, do you maintain a document and we're going to have to talk, I'm going to have to talk to my client about that, whether or not, we'll probably end up doing it. We do not maintain a record containing all the dates of birth of all our employees. Now, you have to kind of play it out though, what's the person then going to do. 'Give me every personnel file for every employee of your agency.' Would you rather give them a list of people with dates of birth or would you rather give out 50 personnel files? I would probably just give them the dates of birth, so they don't start trolling..."

Mr. Harden, "I think that's why we turn ours to the prosecutor's office and they're our leading law enforcement agency that tells us what we need to do."

Mr. Piersall, "Absolutely. Absolutely. If we don't maintain it, the agency doesn't maintain a record for, in this case a roster that contains dates of birth, then we won't give it out. But I've been in this scenario more than once because we know how this is going to go, we're going to say 'here's our roster. Here's the name of every person that works there. We don't maintain a list

of people's ages, so we're not going to give that to you.' And so, they might turn around and say 'well, that's great. Now, give me personnel files on everyone.' So, do we really want to go down that road or just give it up. Those are policy decisions that have to be made on a case-by-case basis. You know, to give out everyone's date of birth as opposed to giving out 50 personnel files, and then it also takes someone, Susan Martin, or the Susan Martin at that agency to go through 50 personnel files and redact all the information we're talking about a couple of weeks-worth of work. So, do we give it out on the front side, or do we make them work for that information. So, it's just, some agencies say 'absolutely not, if it's not in the record, we're not going to give it. If they want it, we want have Susan go through 50 personnel files and be tied up for two weeks then that's what we'll do.' Other agencies say, 'just give it to them. I don't want to waste any more time on this.' So, it's the easy way or the hard way."

Ms. Martin, "The fun thing about doing a personnel file like that for a public records request is, you go through and make a copy of the whole record, of the whole record. You go through and redact the information that is protected which pretty much for us is just social security number because all of our private medical information is held in another file. Then you have to make a copy of the copy that is redacted and then the redacted copy becomes part of the personnel file and then a redacted copy goes to the person."

Mr. Piersall, "Yes, it's not fun. What I'm passing out now is, it is essentially more detailed, it's straight from the Ohio Attorney General's office every year puts out something called the Yellow Book, Sunshine Law, yellow. When I first started doing this, I think it was 100 pages and now it's almost 200, I think. So, it's a pretty lengthy publication, for law dorks like myself it's chocked full of useful information. But what I did is printed off the four or five pages that pertain going into executive session. So, especially since we have it sounds like we have a few new board members, it's fun stuff, I know, but if you don't do it properly, as I just indicated, we can rack up some statutory damages pretty quickly. So, there you go. That's executive sessions, public records. It's open meetings. Do it properly. Anybody have any questions? Comments? Regrets?"

Mr. Root, "Anyone? Drew (Piersall), thank you very much."

Mr. Piersall, "Thank you for having me. Appreciate it. And if you have any questions, you can always call me directly or run anything through Susan. She knows where to find me. Thanks, guys."

Mr. Root, "Okay, so, we're skipping B. We're moving on to the Food Establishment/Food Service presentation."

## **PRESENTATION**

Rick Schairbaum, General Services Program Manager, provided a presentation on the Food Establishment and Food Service programs. Mr. Schairbaum highlighted:

1. Voluntary inspection window clings for restaurants,
2. Goodie bags for attendees of food safety training,
3. Availability of inspection reports from the health district website at [www.gcph.info](http://www.gcph.info),

4. Digital plan review, and
5. New collaboration with Greene County Schools, Greene County Board of Developmental Disabilities and the health district to provide student food safety training.

Mr. Root, “That was one fantastic presentation. Thanks very much”

Ms. Montague, “It’s exciting; all the new things that are happening.”

Mr. Root, “All right, we can move on to Item five, Financial Reports, and we’ll turn it over to Noah Stuby.”

Mr. Stuby, “So, nothing out of the ordinary as far as standard operating business for tonight. You have your voucher summary, the goldenrod, which I’ll return to in a minute. But you have that to approve tonight. You have some appropriation transfers which is like this ash, cream color that will also require approval and then you have the green sheets which is the Income and Expense Report which you accept. So, then returning back to the goldenrod which is the voucher summary. So, you may notice that it looks a little different this evening from what you are primarily accustomed to. I did not change the content of this report that you’ve been receiving. What I did try and do was to change the format for your convenience and readability. Before you were in no way able to tell what was an open PO or what was a paid PO. You will notice now that underneath each fund you will see a title that says open. You’ll see a title that says paid. What that means is under the open that is how much is open on a purchase order. Underneath that where you see paid that is literally what has been paid during that operating month. So, again, it is all the same content you’ve been receiving before but this should be much easier for you to read.”

Mr. Root, “I like it Noah (Stuby). I really do.”

Dr. Johnson, “On page, as you open the report, page five, it says at the bottom, under Fund 0063, Item 19, it says ‘packing and shipping board members belongings, Susan Martin.’ I’m just curious as to what the belongings are.”

Ms. Martin, “It was the plaque, the plaques for Dr. Dillaplain and for Sharon Christman. The resolutions of appreciation.”

Dr. Johnson, “Okay.”

Mr. Root, “Any other questions for Noah (Stuby) regarding the bill summary? Let him know what you think of the new format. It may take you a while to get used to it.”

Mr. Stuby, “Some of the reason I did it the way I did this kind of came a little bit out of the Finance Committee meeting that we had, where I was able to get some valuable feedback there to incorporate into this. This is kind of step one in the two-step approach to where I would eventually like to move us in terms of this report where I actually remove the top section of the; the open part, and we just focus on the bills that have actually been paid. So, at the previous health district that I came from, that board of health only approved the actual bills that were paid

from the previous operating month. I know that's a practice that's done at other health districts as well and also just to kind of give you something, I'll plant the seed now, this current report you have in front of you takes two of my staff working on and off between their other duties, two and a half days to complete. The report that I am proposing, I can have one staff person do in less than an hour. So, that's just food for thought."

Mr. Filson, "Well, I like this better than before. I think this is a step in the right direction."

Mr. Selden, "Noah (Stuby), I guess I don't understand why it takes so long. If we're using the basic format is an item that's drawn from the county auditor's..."

Mr. Stuby, "Yes and no. So, this format, this document right here is a unique document itself into the way this board has traditionally been receiving it. Yes, it takes the data from the auditor's system, but that data is then getting manipulated and put in this format and there is no one clean way to export that data. So, staff are manually taking data from different reports and having to format it to get it to fit the way you are used to seeing it. And, the way that it was also being done before is you weren't focusing just on the previous operating month; you were focusing from board meeting to board meeting. So, they were literally inputting information into this template up until 4:00 the day of your board meeting. So, there is a longer period to try and capture real time results, where if you do it when you approve previous month's bills those are already complete, and the staff already have more time to be able to do that and can get that done further in advance. They are working up to the day and into the day of your board meeting. So, that's a large reason why it takes so much time is the manual manipulation of the data. Where the report that I'm talking about where I could basically have one person do it in an hour or less, that is a direct export from the auditor's system which is why I can cut so much time."

Mr. Selden, "Good."

Ms. Montague, "I think you should try it."

Mr. Stuby, "Well, I was asked at the Finance Committee to do a presentation to the Finance Committee in March and that's where I'll actually propose to you this draft of, that step two of this two-step process. But I was just kind of planting that seed tonight, but, yes, I give that draft to the Finance Committee in March."

Mr. Root, "I think we're ready to move on with what's next, income and expenditures?"

Mr. Stuby, "Yes, I mean, you'll have to approve the voucher summary if you're good with that."

Mr. Root, "Yes."

Health Commissioner Howell and Mr. Root, "We do it all."

Health Commissioner Howell, "You can go on with the Income and Expenditure."

Mr. Stuby, “Okay. I have the Income and Expenditure Report. It’s the green sheet. Basically, for the month, you see that revenue was \$362,000.00, a little over and some change. Expenses for the month were \$400,000.00, a little over and some change. Typically, in the beginning of the year, you spend more than you make. It’s kind of how it starts with the cycle of it. Then when food service starts to roll in, it starts to build up your revenue and you start to get kind of beyond that. I don’t know how much discussion is typically done around Income and Expenditure Reports. So, forgive me if I’m not going into as much detail as you would like. I’d certainly answer any questions, you may have by looking at it.”

Mr. Root, “And Noah (Stuby) just kind of point out anything that is unusual or…”

Mr. Stuby, “One thing I’ll point out that is a good thing. On the front page, the All Funds Report, up at the top in the revenue section, there’s a \$30,000.00 payment in there and the reason I point it out as a good thing, is that’s tied to being accredited. So, when you become accredited part of that incentive is that the state doubles your state subsidy. So, for us, you’re typically getting a little over \$30,000.00, \$30,000.00 and some change. So, now, we’ll get about \$60,000.00. So, this, that \$30,000.00 is the first payment of that doubling and our reward for being an accredited health department. So, that’s worth pointing out.”

Mr. Root, “Are there any questions for Noah (Stuby) about the Income and Expenditure Report? All right. We’ll move on to the appropriation transfers.”

Mr. Stuby, “Again, this is basically just part of doing daily business. It’s just moving money from one line item to another to be able to make these purchases and pay the bills as kind of linked to your voucher summary report. The reason it primarily happens is that when we put the initial budget together since that is also pretty much a guess-estimation. Things change and you need to move money into a different line item because you need to buy something out of it; something that wasn’t previously anticipated. That’s where these primarily come about is because of cases like that. Typically, at the beginning of the year you don’t have as many as you would have towards the end of the year because funds are running lower at the end of the year and at the beginning of the year your budget is brand new. You, typically, don’t have this many.”

Mr. Selden, “And just a comment, and all of these are within the same fund.”

Mr. Stuby, “Yes. We’d be talking about a different report if we were doing a fund transfer report. These are just appropriations which is just the same fund but from one line item to another line item. I guess something worth pointing out on here is that, I did change the way that we were paying our payment to Huntington. The auditor had asked me to split it up from one single payment to really show them that you are paying bond principal and bond interest. So, we did those funds and those line items per his request and that is reflected on this report as well.”

Mr. Root, “Any questions for Noah (Stuby) on the appropriation transfers? Okay, well, I will entertain a motion to approve the voucher summary and the appropriation transfers and the acceptance of the Income and Expenditure Report pending the audit.”

Mr. Selden, “So moved.”

Mr. Root, "Is there a second?"

Mr. Harden, "Second."

Mr. Root, "Thank you, Bill (Harden). Any further discussion? Hearing none, all those in favor signify with aye. Any opposed? Motion passes."

### **FINANCIAL REPORTS**

#19-02-07-1. Mr. Selden moved to approve the appropriation transfers, between meeting appropriation transfers, fund transfers and the acceptance of the income and expenditure report pending the audit. Mr. Harden seconded the motion.

The motion carried by acclamation.

Mr. Root, "Thank you, Noah (Stuby), very much. We've done the Regional Air Pollution Control. So, we can move on now to Director Reports. Dr. Sharrett."

### **DIRECTOR REPORTS**

Dr. Sharrett, "Last month I mentioned that we were starting to see the first cases of flu and didn't know really what to expect and this is purely anecdotal. This is not, there's no science behind this. This is just me being in the office every day and our group in the office, every day. We're seeing flu every day in the office but not to the extent that we expected. So, I guess, a little good news. Maybe not everybody is seeing what we're seeing. A little interesting caveat is that the tests we use in the office to screen for flu, we're learning is highly unreliable and so, in essence, we're not, if somebody comes in with the symptoms of flu, you might have noticed that I went out and my phone's been buzzing, because I'm on call tonight. But we've essentially stopped testing. If they come in and have the symptoms of the flu and they meet the appropriate criteria for treatment or prevention, we're doing that without even testing. We're not seeing quite the numbers that we thought we might be seeing early on in this. We're still early, fairly early in the season so it could get, certainly get worse but right now we're optimistic that it may not be as bad as what we thought in the beginning. So, that's a little bit of perspective on that. Got the first emergency call from ODH this morning and that went well as far as I know. Not a problem, so that's okay. We have Child Death Review Committee meeting coming up sometime in the near future. I know Bill's (Harden) in charge of the scheduling that."

Mr. Harden, "Tomorrow."

Dr. Sharrett, "Is it tomorrow? So, in the very near future we're having the Child Death Review Committee meeting."

Mr. Harden, "Two o'clock tomorrow."

Dr. Sharrett, "One of my survival skills is I don't look too far ahead. So, that's a brief synopsis. If any of you have any questions, I'd certainly be happy to answer to the best of my ability."

Mr. Root, "Thank you doctor. Next is Robyn Fosnaugh."

Ms. Fosnaugh, “I thought I would give a brief update on Hepatitis A. We have 22 cases that have been linked to the original outbreak in Greene County and the nurses, we have vaccinated 290 people now in the jails, the adult detention center, at Safe Trade, in clients who walk-in for HIV testing, Women’s Recover. Tonight, there are two nurses going at 8:00 to the homeless shelter for the second time. So, we’ll just keep repeating that, you know. The jail, we’ll probably go to the jail about every 40 days because they’re usually in that jail between nine and 30 days. We’ll have a new group of people about that time.”

Mr. Root, “Questions for Robyn (Fosnaugh)? All right. Well, thank you Robyn (Fosnaugh). Now, we move on to Jeff Webb.”

Mr. Webb, “Just one thing. In addition to what Rick (Schairbaum) is doing and his group, Mark Isaacson and his group, which is primarily sewage, is working with the Baldwin Group to develop software that will allow them to go out into the field and actually do a digital sewage inspection rather than writing it on pieces of paper. They’ll be able to input it in there and then it will auto-populate a letter that they then can email to the homeowner rather than necessarily sending a paper copy and postage and that kind of thing. So, hopefully that will be completed within the next 30 days or so and then when that’s done, I would like to have Mark (Isaacson) come and kind of talk about it to the board.”

Mr. Root, “Questions for Jeff (Webb)? Thank you Jeff (Webb). We can move on to the Health Commissioner’s Report.”

## **HEALTH COMMISSIONER’S REPORT**

Health Commissioner Howell, “Under page one, Item number one B, I wanted to point out to you information that comes from the Public Health Workforce Interest and Needs Survey. That information should have been included in your packet. I would ask that you would take the time to read that. That is what’s going on with the public health workforce nationally and some of it, you’re starting to hear in some of tonight’s presentations, our ability to collaborate more is a challenge for the workforce moving forward; the new technology, with electronic record inspections. These are all challenges that the public health workforce will be facing over the next few years too. What you find nationally is true here in Greene County as well. On page two, you’ll see Item E, at the top of the page. Senate Bill 229 just passed. It’s going into effect on March 22. It gives health district’s the ability to own credit cards, which we’ve had one for many, many years, but many districts in Ohio did not have credit cards. It also allows a health district to use public health in their “doing business as” names and many boards would not pass a resolution like you did here in Greene County to allow us to do business as Greene County Public Health. Our official, legal name is still Greene County Combined Health District. So, that was two things that the health commissioner association worked on this last year legislatively. On page three, Item Two, for Chronic Disease and Injury Prevention, specifically under Tobacco and Nicotine, Nancy Terwoord asked that I include a little more information on what we’re doing with tobacco and nicotine here in Greene County. So, certainly, that gives you some of the information as far as what we’re doing with some of our youth in the schools. And, the only other thing that I would like to add to the report is just a quick reminder that the District Advisory Council meeting is coming up on March 19. That’s at 6:00 p.m., here at the health district. This year, the two board members that are being re-appointed are

Scott Filson has agreed to be re-appointed from the District Advisory Council and Bill Beeman has agreed to be re-appointed for the City of Bellbrook. We already have that letter back from Bellbrook for the re-appointment. The second date that you might want to put on your calendar is April 4 and that is the employee appreciation breakfast. That starts at 8:00 o'clock and that's always a good time and good food."

Mr. Harden, "Melissa (Howell), where is that held at?"

Health Commissioner Howell, "Here."

Mr. Root, "Any questions for Melissa (Howell)?"

Mr. Filson, "What was the date on that District Advisory Council?"

Health Commissioner Howell, "The nineteenth of March at 6:00 p.m."

Mr. Root, "Okay. Very good. Thank you Melissa (Howell). We can move on now to committee reports. The Administrative Evaluation Committee. Bill Beeman would normally be reporting on that. He is ill."

## **COMMITTEE REPORTS**

Mr. Root reported on behalf of the Administrative Evaluation Committee. Mr. Root, "What I can tell you is that we have heard from the folks that are going to be helping us create a new evaluation tool for the health commissioner and they wanted a contact person and so, I asked Bill (Beeman) to do that. He was very gracious, so he will be the contact person. So, I would anticipate that that committee will meet in I would think in March sometime, maybe even later this month and start getting that rolling so that shortly here we can bring to you a proposed new tool for evaluation of the health commissioner. We can now move on to Finance/Audit Committee, Mr. Selden."

Mr. Selden, "Yes. Finance/Audit Committee had a scheduled meeting on Wednesday, January 16, 2019. We spent some time going over, for the second time, the 2017 audit by the state auditor. Went over three or four issues that people, some people wanted clarification on. Got explanations as to what caused those issues. I can tell you what they are if you want to go over that now. But I would rather hold that for the next monthly meeting, I'll tell you why in a minute. For example, we were accused of having two separate accounts. Well, we do. In order to get the loan for the new building we had to establish as approved by the county auditor and the financing people, a separate account for the building and it's always been displayed on all of our records and will continue to do so. And the others are along that line. That was part one. Part two, with Noah (Stubby) here, we did go over the reports we are getting each month and I would ask everybody on the board to take a look at these and to let us know by the next Finance Committee meeting which I hope to schedule for the night of the next board meeting because we do have to look at the 2020 initial budget, for further changes or improvements. It seems to me that we are closer now to getting more information that we can actually use and less of complicating information that tends to lessen the effect of the information in proper context and order. I probably need to explain that better. But I think we're, I'm understanding it better. I was

very surprised to learn, and I should've known this a long time ago, that actually when we approve the payment of bills, they've already been paid. I thought one of the reasons that we had to have monthly meetings was to approve the bills of the month. Well, that's not true because the bills have already been paid. We're just verifying that they are authorized. Yes, I just got the summary tonight. I understand that you probably tried to get me on email before this and it doesn't always work. It doesn't usually work. But I look forward to going over this with the committee members and making a full report on this committee meeting at the next board meeting. Questions or comments? Thank the board members. We got our act together at that last meeting and Noah (Stuby)."

Mr. Root, "I will add one thing. Dr. Johnson's going to be reporting on this is more detail, but we reviewed some policies that are addressing some of the audit concerns. So, Dr. Johnson will be talking about that a little bit more, but we kicked that around and I got confused and I thought we, that there was one that we hadn't but Melissa (Howell) corrected me and educated me. So, two committees have looked at policies that we have put in place to fix the small issues that were in the audit. Any other questions for Tom (Selden)? Thank you, Tom (Selden). We can now move on to Personnel Committee, Dr. Johnson."

Dr. Johnson, "Okay, thank you, Mr. President. The Personnel Committee met last night at 5:30 to review the revised policies and updates of those policies which of course had been adopted by the Greene County Combined Health District. In addition to the members present, the health commissioner was there to give us adequate explanation of the updates and the changes and also introduce us to a new policy, which, the policies are listed on page one, on the back of the pink sheet, which says Agenda Notes, down at the bottom; Billing and Collections, Budgeting and Accounting, Cost Allocation, Costing Principles for Spending Federal Funds is a new one. That is a new policy. Credit Card, Facsimile, General Cash Transactions, and Internal Controls. The members present of the committee were Elaine Hughes, Kathy Saunders, Andrew Root, Ex Officio; our board president, and Bill Beeman called in with the flu, and myself, Melvin Johnson. We listened carefully as the health commissioner went through each of these policies to give us updates, changes in the language in some instances but basically, they were being updated from the time that they were reviewed with the last meeting. So, we voted that we would accept these as a committee and the committee right now would like to have the approval of those policies so named from the board. So, I move that the policies be approved as you see them printed on the bottom of your sheet."

Mr. Root, "Thank you, Dr. Johnson. We don't need a second since that came from the committee. So, let's see if there's any discussion or questions? You should have had the policies in your board packets."

Health Commissioner Howell, "Andy (Root), if I may speak?"

Mr. Root, "Please."

Health Commissioner Howell, "The policy that has to do with your 2017 audit is the one that is called Budgeting and Accounting. In the 2017 audit there were two non-compliance findings that were in there. The first one said, what the auditor want us to do to fix the problem is that when David Graham, the county auditor, prepares our financial statements that Noah (Stuby) and I

review the financial statements before he turns them in. He's the county auditor. He is our auditor and they got turned in. So, Noah (Stubby) and I will be reviewing them next week for 2018. And, the also asked that we get an external party who is outside of our financial process to review those financial statements and so, we've made arrangements to do that. Once David Graham prepares those financial statements, they will review them a second time just to make sure that no mistakes were in there. That is what is included in the Budgeting and Accounting Policy. That is the change. The only request was that we change our policy and do something different in regard to that. Does that make sense?"

Mr. Root, "Thank you for that. So, we've, the Finance Committee as Mr. Selden said has looked over things twice regarding the audit and now a second committee is addressing the policy changes. So, any further discussion. Any questions? All right. Then we are ready for a vote. All those in favor of the new policies signify with aye. Any opposed? Very good. Motion passes."

#19-02-07-4. Dr. Johnson moved for the approval of the following policies on behalf of the Personnel Committee:

- Billing and Collections
- Budgeting and Accounting
- Cost Allocation
- Costing Principles for Spending Federal Funds
- Credit Card
- Facsimile
- General Cash Transactions
- Internal Controls
- Purchasing
- Vehicle Use

The carried by acclamation.

Mr. Root, "We'll move on to Planning and Evaluation Committee, Scott Hammond isn't here. Is there anybody here? Did you meet?"

Ms. Montague, "We did not meet."

Mr. Root, "Okay. No meeting. All right. Very good. Thank you, Charlene (Montague). Well, next item is there Executive Session? We certainly know how to go into it properly now, if we need to. Is there a need? Okay. Good. Well, let's move on to Personnel."

## **EXECUTIVE SESSION**

No Executive Session.

## **PERSONNEL**

Health Commissioner Howell, “Angela Frederick just started on Monday of this week. She started as an account clerk and she’s replacing Debra White who has accepted the position of accounting program manager.”

Mr. Root, “Questions? Comments? Very good. Thank you, Melissa (Howell). We can move on to New Business.”

## **NEW BUSINESS**

Mr. Root, “A couple of forms, Melissa (Howell), that you want us to sign. Yes?”

Health Commissioner Howell, “Yes. You have a confidentiality form. We do this every year. The auditor checks it and a conflict of interest statement. So, if you could get those signed and either return to me or Susan (Martin) then that would be great.”

Mr. Root, “Okay. I added one new thing. I’m going to be making one new committee assignment. I’m going to assign Elaine Hughes to the Finance Committee, and I’ll send her an email on that later, in the next day or two. I think, I mean she was on the Personnel Committee and I think we still have plenty of people on the Personnel Committee. But what I want to also raise is if any of you would like to be placed on another committee, call me, email me and I’ll certainly entertain that. My only concern is that I want to make sure that we have an even distribution as best we can on that. So, I was on the Finance Committee for the last three years. I’m officially off all committees but I am ex officio. So, I’m trying to attend as many of these committee meetings as I can. And, I will make it a priority to continue for the Finance Committee. All right. Under Old Business. Strategic Plan.”

## **OLD BUSINESS**

Health Commissioner Howell presented an overview of the draft 2019-2021 Strategic Plan.

Mr. Root, “Questions or comments? All right. I will entertain a motion to approve the 2019-2021 Strategic Plan.”

Ms. Montague, “So moved.”

Mr. Root, “Thank you, Charlene (Montague).”

Dr. Johnson, “Second.”

Mr. Root, “Okay, Dr. Johnson. Any further discussion? All those in favor signify with aye. Any opposed. The motion passes.”

#19-02-07-5. Ms. Montague moved to approve the 2019-2021 Strategic Plan. Dr. Johnson seconded the motion.

The motion carried by acclamation.

Mr. Root, “The next item under Old Business is the Five Health Center Board members.”

Health Commissioner Howell, “In your agenda notes, I believe it was Mr. Selden who had asked for a list of the board members for the Five Rivers Greene County Health Center. So, they are listed out in your agenda notes.”

Ms. Montague, “How many board members do they have?”

Health Commissioner Howell, “A long list.”

Ms. Montague, “All of these?”

Health Commissioner Howell, “A bunch. I don’t know how many it is, but it is more than we have here.”

Mr. Selden, “Robyn (Fosnaugh), you’re on that. Right? Have you been to any of the meetings?”

Ms. Fosnaugh, “They haven’t met yet.”

Mr. Selden, “I was going to ask you how that number of people can function.”

Ms. Fosnaugh, “I don’t think they’ll be having that many. I think these are people who were proposed and invited. And, I think, the asterisks showed there that they’ve either expressed an interest or committed. I think they are going to be having one in March. I met with Missi (Pollock) and Jo Bouchard. She is also on their board for all of Five Rivers, Jo Bouchard. She’s a Greene County person. She’s been very active. She used to work at Ohio Department of Health as a bureau chief. I met with her just briefly, the three of us met briefly. That was probably in November and I think that Missi (Pollock) was just getting some ideas of what it would look like. But these people, I don’t know who else will commit to that. I think they’ve been invited by Gina (McFarlane-El).”

Mr. Selden, “I would be interested in finding out what the role of the Greene County Board is in the Five Rivers administrative hierarchy.”

Ms. Fosnaugh, “It’s really not, it’s an advisory board. It’s not a board per se.”

Mr. Selden, “Okay. That makes sense.”

Dr. Samiec, “I missed the January meeting. Why did we want the names?”

Mr. Selden, “Actually, I wanted to know if there were any our people involved in that board or others. I know a couple of the others. That’s why. Just to see... yes, the interaction because of, they are not only our neighbors. They’re our family I guess.”

Mr. Root, “Any other questions? Comments? We can move on to the last item on Old Business, Programs.”

Health Commissioner Howell, “We were also requested, and I don’t remember who made the request, but we were asked to provide a list of programs that we had prior to modernizing services with clinics moving to Five Rivers and then what the services are now. So, Robyn (Fosnaugh) was nice enough to assemble that list.”

Mr. Root, “In the agenda notes. Okay, any questions, comments about the programs? All right. We can move on to, does anyone have any additional business? I should have said this at the beginning, but the county commissioners were kind enough to recognize the board of health for its recent accreditation. Melissa (Howell) and two members of her staff were there. I was there. Scott Filson was there. Bill Harden was there, and Elaine Hughes was there. It was very nice. They were very nice and gracious, and we really are fortunate to be in this county to have such commissioners that care about public health like they do. So, that was a nice, nice recognition.”

Health Commissioner Howell, “It’s back there, if you want to see it.”

Mr. Root, “Yes, it is. Any other additional business? Yes, sir.”

### **ADDITIONAL BUSINESS**

Mr. Selden, “Just to mention and thanks Tami (Samiec) for your thought on this, the NALBOH convention in August. Usually we’ve had somebody there and it looks like it would be a good one out in Denver this time. I would strongly advocate that somebody from this board go to represent us. And, Tami (Samiec) as you mentioned, they also have the webinar. But, the personal meeting of people around the country with the same issues. You get a feel for the national organization and philosophy and main problems and how we fit into it in Ohio and Greene County. It’s good background information, I think, for all of us.”

Mr. Root, “Thank you, Tom (Selden). That’s a very good idea. If there is no more additional business, I’ll entertain a motion to adjourn.”

Dr. Samiec, “So moved.”

Mr. Root, “Moved, Tami (Samiec), thank you. Second? All in favor signify with aye.”

#19-01-03-6. Dr. Samiec moved to adjourn. Ms. Clifton seconded the motion.

The motion carried by acclamation.

The February 7, 2019, Greene County Board of Health meeting adjourned at approximately 8:35 p.m.

---

Andrew Root, President

---

Melissa A. Howell, Secretary