



OPENING SESSION

Date and Time of Meeting:

January 16, 2020 - 5:00pm

Type of Meeting:

Regular Meeting of the Marion Public Health Board

Meeting Called to Order:

Rob Lill called the meeting of the Board of Health of Marion Public Health to order at 5:00pm on Thursday, January 16, 2020.

Roll Call- Members Present:

Rob Lill; Christine Mattix; Dr. Patel; Laurie Wise

Members Absent:

Mick Williams- Medical Leave

Others Present:

Traci Kinsler, Health Commissioner; Tyler Pigman, Director of Environmental Health; Rachel Hill, Director of Nursing; Jessica Woods, WIC Director; Lisa Cook, Fiscal Coordinator; Butch Winslow, DAC Chair

Guests Present:

Andrew Carter, Marion Star; Resident- Dan Neidig, DAC Representatives- Ila & Robert Moodespaugh, Steve Lust, Michael Augenstein, Lavon Verity, Tim Mooney and City Council Member Jason Schaber; Matt Carbary- Chamber of Commerce.

Agenda:

Opening Session

- Roll Call and establishment of quorum
- Adoption of the agenda (Vote)
- Approval of previous minutes (Vote)

Information Session (No Voting)

- Public Comment
- Information Only Items
- Information for Action Items
- Leadership Comments

Work Session

- Voting on action items

Adoption of the Agenda:

Motion: To adopt the agenda of the January 16, 2020 Marion Board of Health Meeting:

Motion Made By: Laurie Wise

Motion 2nd By: Christine Mattix

Discussion: None

Approved By Voice Vote



Approval of Minutes:

Motion: To approve the minutes of the December 19, 2019 Regular Marion Board of Health meeting.

Motion Made By: Dr. Patel

Motion 2nd By: Christine Mattix

Discussion: None

Approved By Voice Vote

INFORMATION SESSION

Forum for Public Comment: Tim Mooney representing Claridon Township on the DAC expressed concerns with the current contractual obligations of the City of Marion and the previously unpaid obligations of the City of Marion. Robert Moodespaugh, Tully Township representative, added that he shares those views and concerns.

Information Only Items (Not Requiring Board of Health Action):

Health Commissioner:

City Contract Update- Traci presented a letter dated December 31, 2019 from our attorney sent to the City Law Director, Mark Russell. This letter was in response to the November 26, 2019 letter from Mayor Schertzer referencing legal notification-termination of the January 1, 2015 agreement between the City of Marion and the DAC. In his letter, our attorney notified the Mayor that there is no unilateral authority in the current contract for the City to terminate the contract as the current contract remains in effect unless otherwise modified in writing by mutual agreement of the signing parties. Traci received a letter dated January 15, 2020 from Mayor Schertzer stating that the City of Marion will honor its contractual obligations and will not be in breach of the agreement. In the letter the Mayor stated that he would like to continue to discuss modifications to the agreement and has requested a meeting on January 30, 2020.

Butch Winslow made it clear that the funding from the City and County is based on population or “head count” as recommended in the Kent State study. Current calculation is based on 53 City/47 County split and recent indicators show that the estimated 2019 population split is 55 City/45 County.

Traci and Tyler plan to meet with our attorney to review the mandated or statutory requirements of public health. This will help all parties to better understand our responsibilities and authority in enforcement of City codes and ordinances. Tyler explained the difference in nuisance, housing, and solid waste complaints and issues. Tyler stated that MPH follows up on housing complaints that demonstrate a hazard to human health and life. Housing issues are funded through the general fund. Solid Waste issues are considered issues outside of the home i.e. animal waste, garbage, tires, etc.... The funding to address those issues is made available county-wide through the DKMM Solid Waste Grant which is awarded to a health district. The health department works with Townships, Villages and the City to investigate solid waste issues.

Tim Mooney would like to see how this type of conflict could be avoided in the future. Tim questioned how the Mayor can unilaterally make these decisions and is he doing it with or without council support. Butch indicated that the intent of the review every 5 years was to review the funding split based on the population count. It was never designed to negotiate services. Tim asked if he is correct in his understanding that the City is in arrears on its financial obligation dating back to the early years of the merger. Prior to 2014, the Mayor withheld 3 payments of \$50,000.00 each to the health department because he felt our carryover was too large. In the 2014 contract it was agreed that the City would make that money available to the health department if the health department fell below an established financial threshold through the year fiscal year of 2018. After 2018 the offer would expire and any monies not paid would revert back to the City. The health department did receive one payment of \$50,000.00 prior to the year ending 2018. Tim stated that in his perception the City is \$100,000.00 in arrears to the health district. It was noted that at the time Brent Yager did say that the health district could have sued the City for the money but he did not recommend taking that action. Tim added that the City should be liable for the health department legal fees incurred in dealing with this recent issue.



Traci provided information on an upcoming United Way sponsored board training *Building A Governance Legacy- Creating Success With Your Board*.

Public Health Nursing:

Nursing Services Update- Rachel presented the year ending communicable disease report and also provided an influenza update with 3 hospitalizations in December and 11 to date in January with no deaths reported.

We are still actively searching for a Medical Director to replace Dr. Janchar. Dr. Patel plans to retire from the board in March and Dr. Janchar will be considered as his replacement when the DAC meets in March.

Environmental Health:

National Voluntary Retail Food Program Standards. We are close to meeting 2 of the 9 standards and with mentoring by the Boulder Colorado health department we expect to meet these 2 standards in 2020.

WIC:

None

Items Presented for Board Consideration/Action (See Action Item Summary Report):

Health Commissioner/Fiscal Activity:

Approve Financial Transactions & Payment of Bills as Presented

Board request to amend BOH By-Laws- With 2 current vacancies in the City appointments to the board there is concern that issues of quorum to conduct board business could occur. With the DAC meeting annually in March, if a County appointment vacancy happened it would be challenging to have a quorum of 4 members present to vote on action items. To avoid a quorum issue resulting from a failure to fill vacancies the board has been asked to make an emergency amendment to their by laws that bases a quorum on actual seats appointed or filled by the appointing authorities (City and DAC). We currently have 5 of 7 filled by the appointing authorities (1 City appointment and 3 DAC appointments) so under this emergency measure a quorum would be 3 members.

Population Health/Public Health Nursing:

None

Environmental Health:

2020 NEARS Contract

WPCLF

WIC:

None

Medical Director's Report: No additional report.

President's Comments: No additional report.

WORKING SESSION



Action Items:

Resolution#2020-01-01: Be it resolved that the District Board of Health approves the financial transactions and payment of bills as presented.

Motion Made By: Dr. Patel

Seconded By: Christine Mattix

Discussion: None

For: Rob Lill; Christine Mattix; Dr. Patel; Laurie Wise

Against: None

Abstentions: None

Disposition: Carried

Resolution#2020-01-02: Be it resolved that the District Board of Health authorizes the Health Commissioner to enter into the EPA Water Pollution Control Loan Fund Assistance Agreement to repair or replace failing septic systems or tie them into public sewer in the amount of \$100,000.00 with a limit of \$50,000.00 to be spent on tie-ins as presented in the information session.

Motion Made By: Laurie Wise

Seconded By: Dr. Patel

Discussion: None

For: Rob Lill; Christine Mattix; Dr. Patel; Laurie Wise

Against: None

Abstentions: None

Disposition: Carried

Resolution#2020-01-03: Be it resolved that the District Board of Health authorizes the Health Commissioner to enter into and execute a contract with the National Environmental Health Association and Center for Disease Control for NEARS training and purchasing environmental sampling/investigation equipment for which Marion Public Health will receive \$2,500 as presented in attachment #1.

Motion Made By: Laurie Wise

Seconded By: Christine Mattix

Discussion: None

For: Rob Lill; Christine Mattix; Dr. Patel; Laurie Wise

Against: None

Abstentions: None

Disposition: Carried

Resolution#2020-01-04: Be it resolved that the District Board of Health does hereby approve amending the Board of Health By Laws as follows and adopt the amendment as an emergency measure: In the event a vacancy occurs on the board and the appointing authority fails to appoint a member to fill that vacancy, the quorum shall then consist of no less than a majority of the remaining filled seats of the board.

Motion Made By: Christine Mattix

Seconded By: Laurie Wise

Discussion: None



For: Rob Lill; Christine Mattix; Dr. Patel; Laurie Wise

Against: None

Abstentions: None

Disposition: Carried

Adjournment:

Having no further business, the meeting was adjourned.

Minutes respectfully prepared by Lisa Cook, Fiscal Coordinator, and submitted by Traci Kinsler, Health Commissioner.

NEXT MEETING OF THE MARION PUBLIC HEALTH BOARD:

February 20, 2020 5:00pm in Conference Room 128
Marion Public Health
181 S. Main Street, Marion, OH 43302