

The Lorain District Municipal Board of Health held their Public Hearing & regular meeting on Wednesday – April 22, 2009 at 4:30p.m.

ORGANIZATIONAL MEETING OF THE BOARD: Refer to May meeting.

PLEDGE OF ALLEGIANCE:

ROLL CALL: P=denotes presence at meeting; A=denotes absence from meeting:

Mayor Anthony Krasienko-P; Robert G. Cool, Jr.-P; Mr. Killinger-P; Mr. Love-P; Mr. Fligner-P.

MINUTES: *Mr. Killinger made a motion which was seconded by Mr. Love to accept the regular March 2009 meeting minutes. 4 Ayes, 0 Nays; motion carried. Mr. Fligner made a motion which was seconded by Mr. Love to accept the March 2009 Special Call meeting minutes. 4 Ayes, 0 Nays; motion carried.*

CORRESPONDENCE:

Letter from David Williams, Public Health Sanitarian, regarding outside employment. Mr. Tomaszewski communicated with Mr. Williams and confirmed there would be no conflict of the outside employment with Mr. Williams' position. Receive and file.

Letter from Mayor Krasienko regarding use of vacation hours for 2009. Mr. Tomaszewski communicate that the Board has never allowed anyone to carryover their vacation time. It would be up to the Board of Health to make changes. Receive and file.

Final Determination from the Ohio Department of Taxation regarding exemption status. Mr. Tomaszewski stated this is our final determination on our tax status. This is our official paper and our tax status will be accurate in 2010. Mr. Fligner asked if the payment issue was taken care of with the Community Development Department regarding the tax situation. Receive and file.

Letter from Elyria City Health Department regarding addendum to CFHSP contract. *Mr. Killinger made a motion which was seconded by Mr. Fligner to authorize this contract. 4 Ayes, 0 Nays; motion carried.*

FINANCIAL REPORT:

Year to date Financial Report – March 2009. Mr. Tomaszewski communicated that this report reflects the permanent budget. Mr. Cool asked Mr. Tomaszewski that if we come out on the plus-side at year end can the Board give that back to the employees? Mr. Tomaszewski said that the Board could always write a letter to council and ask that the additional revenue be appropriated for the employees. *Mr. Love made a motion which was seconded by Mr. Fligner to accept the financial report. 4 Ayes, 0 Nays; motion carried.*

Bills: The following bills were presented for payment:

Lorain City Health Department - Monthly Bills - April 2009

VENDOR	DESCRIPTION	AMOUNT	GRANT (if appl)
First Merit Bank	Visa/MC Fees - February 2009	\$ 206.51	
Columbia Gas	Gas Service (Actual Reading 3/24/09 - 14 ccf used)	\$ 27.59	
Ohio Edison	Electric Service - 3/17/09	\$ 2,632.67	
Federal Express	Overnight Shipping Charges	\$ 133.57	
Ohio Division of Real Estate	Burial Permit Fee - March 2009	\$ 137.50	
Treasurer of State	Vital Statistics Fee - March 2009	\$ 3,675.48	
Treasurer, State of Ohio	Qtrly Remittance - State Vital Stats Fees (\$5 per cert) - (Jan-Mar)	\$ 12,065.00	
Alltel	Cell Phone Charges: Bill Date 3/19/09	\$ 506.22	PHI
Centurytel	Phone Charges: Bill Date 3/7/09	\$ 1,727.09	
Centurytel	Phone Charges: Bill Date 4/7/09	\$ 1,747.04	
Lynn Rebman	Car Allowance - March 2009	\$ 139.15	PHI
Steven Tostrick	Car Allowance - March 2009	\$ 28.05	
Jill Darrow	Car Allowance - March 2009	\$ 38.50	
David Williams	Car Allowance - March 2009	\$ 14.85	
Joshua Jenkins	Car Allowance - March 2009	\$ 64.35	
Fleming Mosely	Car Allowance - March 2009	\$ 62.15	
Monica Tomaszewski	Car Allowance - March 2009	\$ 172.70	
Yvonne Sproule	Car Allowance - March 2009	\$ 89.65	
Martina Ewers	Car Allowance - March 2009	\$ 242.80	
Gloria Gonzalez	Car Allowance - March 2009	\$ 216.15	
Kimberly Stutt	Car Allowance - March 2009	\$ 254.65	
Teresa Kuhlman	Car Allowance - March 2009	\$ 311.30	
Nancy Toth	Car Allowance - March 2009	\$ 38.50	
		\$ 24,531.47	

Mr. Killinger made a motion, which was seconded by Mr. Fligner to forward the presented bills for payment. Roll Call 4 Ayes, 0 Nays; motion carried.

ACTIVITY / COMMITTEE REPORTS:

February 2009 Activity Reports. *Mr. Fligner made a motion which was seconded by Mr. Love to accept the Activity Report as corrected. 4 Ayes, 0 Nays; motion carried.*

OLD BUSINESS:

Resolution 951 – amending resolution No. 576 Multi-Dwelling permit fees – Third Reading. *Mr. Killinger made a motion which was seconded by Mr. Love to pass Resolution No. 951. 4 Ayes, 0 Nays; motion carried.*

RESOLUTION NO. 951

A Resolution to amend Regulation No. 576; Section 16: (A), (3) establishing permit fees for Multiple dwellings or rooming houses for the Lorain District Municipal Board of Health, City of Lorain, Ohio, effective May 1, 2009.

BE IT RESOLVED BY the District Municipal Board of Health, City of Lorain, State of Ohio:

Section 1

That Section 16: PERMITS REQUIRED, (A) Permits and receipts (3) is hereby amended to read:

A person who applies for the permit for a multiple dwelling or rooming house shall pay a permit fee of ~~fifty five dollars (\$55.00)~~ **sixty-five dollars (\$65.00)** with more than three (3) dwelling units, an additional permit fee of ~~five dollars (\$5.00)~~ **seven dollars (\$7.00)** for each additional dwelling unit in excess of shall be paid. In a rooming house where space is let to more than five persons, he/she shall pay an additional permit fee of ~~five dollars (\$5.00)~~

seven dollars (\$7.00) for each additional person in excess of five. All fees shall cap at forty-eight (48) units.

Section 2 That all other Ordinances, Resolutions or Sections or Parts of Sections thereof in conflict herewith, be and the same are hereby expressly repealed.

Section 3 That all formal actions relative to the adoption of the Resolution were taken in an open meeting of the Lorain District Municipal Board of Health and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

Section 4 That this resolution shall take effect and be in force on and after May 1, 2009.

Date: March 5, 2009, Reading #1

Date: March 18, 2009, Reading #2

Date: April 22, 2009, Reading #3

APPROVED: Tony Krasienko (signed)
Tony Krasienko, President

ATTEST: Terrence J. Tomaszewski (signed)
Terrence J. Tomaszewski, Secretary

Resolution 952 – amending resolution No. 913 Nursing Service fees – Third Reading. *Mr. Love made a motion which was seconded by Mr. Killinger to pass Resolution No. 952. 4 Ayes, 0 Nays; motion carried.*

RESOLUTION NO. 952

A Resolution to **amend Resolution No. 913; Section 1, 1) and Section 1, 2)** – establishing fees for services provided by the Public Health Nursing Division of the Lorain District Municipal Board of Health, City of Lorain, Ohio and, effective May 1, 2009.

BE IT RESOLVED BY the District Municipal Board of Health, City of Lorain, State of Ohio:

Section 1 That Section 1, 1) of Resolution No. 913 is hereby amended to read:

	1). Physical Examination:		
visit	Comprehensive Examination	\$95.00	per
per visit	Sports Physical	\$10.00 \$25.00	
	DDST (Denver Developmental Screening)	\$30.00 \$35.00	
	PDQ (Preschool Developmental Questionnaire)	\$15.00 \$20.00	
	Pediatric Physician Consultation – Initial	\$35.00 \$40.00	

Pediatric Physician Consultation – Revisit	\$25.00 \$30.00
Health Education – Counseling (>.25 min)	\$20.00 \$25.00

Section 2 That Section 1, 2) of Resolution No. 913 is hereby amended to read:

2). Laboratory Tests:

Blood Lead Test	\$30.00 \$35.00
Hemoglobin (finger-stick)	\$10.00 \$15.00
Urinalysis (dipstick)	\$6.00 \$10.00
HIV Test	\$20.00

Section 3 That all formal actions relative to the adoption of the Resolution were taken in an open meeting of the Lorain District Municipal Board of Health and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

Section 4 That all other Ordinances, Resolutions or Sections or Parts of Sections thereof in conflict herewith, be and the same are hereby expressly repealed.

Section 5 That this resolution shall take effect and be in force on and after May 1, 2009.

Date: March 5, 2009, Reading #1

Date: March 18, 2009, Reading #2

Date: April 22, 2009, Reading #3

APPROVED Tony Krasienko (signed)
Tony Krasienko, President

ATTEST: Terrence J. Tomaszewski (signed)
Terrence J. Tomaszewski, Secretary

Resolution 953 – amending resolution No. 959 birth/death certificate fees – Third Reading.
Mr. Killinger made a motion which was seconded by Mr. Fligner to pass Resolution No. 953. 3 Ayes, 1 Abstain (Mr. Cool), 0 Nays; motion carried.

RESOLUTION NO. 953

A Resolution to **amend Regulation No. 859; Section 1 and Section 2** - establishing fees for providing copies of Birth/Death records for the Lorain District Municipal Board of Health, City of Lorain, Ohio, effective May 1, 2009.

BE IT RESOLVED BY the District Municipal Board of Health, City of Lorain, State of Ohio:

Section 1 That Section 1 of Regulation No. 859 is hereby amended to read:
That the fee established by the Lorain District Municipal Board of Health for a certified birth record shall be: ~~\$18.00~~ **\$20.00**. Of which \$2.91 will be transmitted to the Treasurer of State/Children’s Trust Fund, and \$5.00

will be transmitted to the Treasurer of State/Automation Fund, and ~~\$1.50~~ **\$1.45** will be transmitted to the Director of Public Safety/designated Family Violence Shelters account.

Section 2 That Section 2 of Regulation No. 859 is hereby amended to read:
That the fee established by the Lorain District Municipal Board of Health for a certified death record shall be: ~~\$18.00~~ **\$20.00**. Of which \$2.91 will be transmitted to the Treasurer of State/Children’s Trust Fund, and \$5.00 will be transmitted to the Treasurer of State/Automation Fund, and ~~\$1.50~~ **\$1.45** will be transmitted to the Director of Public Safety/designated Family Violence Shelters account.

Section 3 That all fees collected under this amended resolution except as indicated in Section 3109.14 of the Ohio Revised Code, shall be deposited into a special fund for the purposes of providing vital statistics records.

Section 4 That all formal actions relative to the adoption of the Resolution were taken in an open meeting of the Lorain District Municipal Board of Health and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

Section 5 That all other Ordinances, Resolutions or Sections or Parts of Sections thereof in conflict herewith, be and the same are hereby expressly repealed.

Section 6 That this resolution shall take effect and be in force on and after May 1, 2009.

Date: March 5, 2009, Reading #1

Date: March 18, 2009, Reading #2

Date: April 22, 2009, Reading #3

APPROVED: Tony Krasienko (signed)
Tony Krasienko, President

ATTEST: Terrence J. Tomaszewski (signed)
Terrence J. Tomaszewski, Secretary

Resolution 954 – establishing administrative fees – Third Reading. After discussion regarding the acceptance of personal checks, it was decided that Mr. Tomaszewski will revise the internal administrative policy for checks. *Mr. Fligner made a motion which was seconded by Mr. Love to pass Resolution No. 954. 4 Ayes, 0 Nays; motion carried.*

RESOLUTION NO. 954

A Resolution establishing administrative fees for services provided by the Lorain District Municipal Board of Health, and repealing Resolutions No. 790 and 894, effective, May 1, 2009.

BE IT RESOLVED BY the District Municipal Board of Health, City of Lorain, State of Ohio:

Section 1 That the Lorain District Municipal Board of Health hereby establishes the following administrative fees for services provided by the Lorain City Health Department:

Handling / Processing of Vital Statistics Request	\$7.00
Check Return – NSF	\$35.00
Over Night / Next Day Shipping	\$35.00

Section 2 That all formal actions relative to the adoption of this Regulation were taken in an open meeting of the Lorain District Municipal Board of Health and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

Section 3 That resolution No. 790, 894 and all other regulations, resolutions, sections or parts of sections or resolutions in conflict herewith are expressly repealed.

Section 4 That this resolution shall take effect and be in force on and after May 1, 2009.

Date: March 5, 2009, Reading #1

Date: March 18, 2009, Reading #2

Date: April 22, 2009, Reading #3

APPROVED: Tony Krasienko (signed)
Tony Krasienko, President

ATTEST: Terrence J. Tomaszewski (signed)
Terrence J. Tomaszewski, Secretary

Help Me Grow post audit report and related correspondence. Receive and file.

Resolution No. 959 repealing Resolution No. 955 for the lease and installation of “Telecommunication Equipment & Services”. Mr. Tomaszewski communicated that this agreement brings us a cost savings. *Mr. Fligner made a motion which was seconded by Mr. Love to suspend the rules for Resolution No. 959. 4 Ayes, 0 Nays; motion carried. Mr. Fligner made a motion which was seconded by Mr. Love to pass Resolution No. 959. 4 Ayes, 0 Nays; motion carried.*

RESOLUTION NO. 959

A Resolution repealing Resolution No. 955 and authorizing the Health Commissioner of the Lorain City Health Department of the City of Lorain, Ohio, to enter into agreements with CenturyTel of Ohio, Inc., and Key Government Finance, Inc., for the installation, and Capital Lease Purchase of “Telecommunication Equipment & Service” to be used at the Lorain City Health Department Offices, and declaring an emergency.

BE IT RESOLVED BY the District Municipal Board of Health, City of Lorain, State of Ohio:

Section 1. A resolution authorizing the Health Commissioner of the Lorain City Health Department of the City of Lorain, Ohio, to enter into agreements with CenturyTel of Ohio, Inc., and Key Government Finance, Inc. for installation, and Capital Lease Purchase of “Telecommunication Equipment and service” to be used at the Lorain City Health Department Offices.

Section 2. That the agreement for “Telecommunication Equipment/System” shall be all inclusive of the following equipment (Cisco Call Manager):

Quantity	Description
1	C2811-VSEC-SRST/K0 bundle w/PVDM2
1	1064131 VIC2-4FXO Ipt Card Voice Interface Four Port Fxo Universal Bcm Cisco
1	1082463 PVDM2-8 PACKET VOICE FAX DSP MODULE 8CH PVDM2-8 CISCO
1	PVDM2 16-CHANNEL TO 48 CHANNEL FACTORY UPGRADE
1	1096448 SU1000RTXL2UA TOWER RACK MOUNTABLE 2U XL UPS 1000VA 5-15P 6-OUT USB SER SLOT 120V SU1000RTXL2U
6	CISCO IP 7961 phones
16	CISCO IP 7941 phones
1	SP-Berbee-50 audio and broadcasting
1	1095112 CON-SNTP-C2801SRS SMARTNET 24X7X4 + SAU 2811 VOICE BUNDLE PROMO CON-SNTP-C2801SRS CISCO
1	PBX voiceover Ip install
1	Lan sale misc, wire, patch cords

Section 3. That said lease with Key Government Finance, Inc. for the above detailed equipment shall be for a thirty-six (36) month period with monthly charges as per agreement shall be \$539.29 per month. The financing lease with the title to the equipment passing to lessee of which at the end of the lease term the equipment can be purchased for \$1.00.

Section 4. That the total amount for the equipment and installation shall be \$19,038.12 with the installation cost of \$3,325.00 being due upon completion of the installation.

Section 5. That this resolution is hereby declared to be an emergency; the nature of the emergency being the need to provide adequate telephone equipment and service for the Lorain City Health Department at a reduced monthly charge.

Section 6. That Resolution No. 955 and all other Ordinances, Resolutions or Sections or Parts of Sections thereof in conflict herewith, be and the same are hereby expressly repealed.

Section 7. That this resolution shall take effect and be in force on and after May 1, 2009.

PASSED: April 22, 2009

APPROVED: Tony Krasienko (signed)
Tony Krasienko, President

ATTEST: Terrence J. Tomaszewski (signed)
Terrence J. Tomaszewski – Secretary

NEW BUSINESS:

ADD ITEM TO AGENDA: Mr. Killinger made a motion which was seconded by Mr. Fligner to add Resolution No. 960 to the agenda. 4 Ayes, 0 Nays; motion carried.

Memorandum and Resolution No. 957 & 958 from Steven Tostrick, Director of Environmental Health regarding Food Code Enforcement – first reading. Mr. Tostrick explained his rationale on being proactive with this enforcement. *Mr. Killinger made a motion which was seconded by Mr. Love to refer Resolution 957 to a second reading. 3 Ayes (Mr. Fligner stepped out of the meeting), 0 Nays; motion carried. Mr. Love made a motion which was*

seconded by Mr. Killinger to refer Resolution 958 to a second reading. 3 Ayes, 0 Nays; motion carried

Revised/updated procedure for demolitions. Mr. Tomaszewski communicated that he and Mr. Tostrick met with the Law Director and developed an order to abate and remove. This is actually Mr. Tostrick's internal policy for his division and an FYI for the Board. Receive and file.

Mr. Fligner re-entered the meeting.

Annual Financial Report of Local Health Department – 2008. *Mr. Love made a motion which was seconded by Mr. Fligner to accept this report. 4 Ayes, 0 Nays; motion carried.*

Annual Report for Local Health Departments – Lorain County Solid Waste District. *Mr. Fligner made a motion which was seconded by Mr. Love to accept this report. 4 Ayes, 0 Nays; motion carried.*

Request from Craig Chapple, Medical Director & Terrence Tomaszewski, Health Commissioner, to attend the Public Health Combined Conference May 11-13, 2009 in Columbus, Ohio. *Mr. Tomaszewski stated attendance is required per ORC. Mr. Killinger made a motion which was seconded by Mr. Fligner to authorize attendance at this meeting. Roll Call 4 Ayes, 0 Nays; motion carried.*

Added Agenda Item: Resolution No. 960 a lease agreement with MT Business Technologies, Inc. for “Copying System Equipment”. Mr. Fligner questioned why MT Business was willing to cut the lease payment by 50% and also asked what the rest of the city departments were doing. Mayor Krasienko was able to provide some information but not a final ruling. *Mr. Killinger made a motion which was seconded by Mr. Love to table Resolution No. 960 until further information can be obtained. 3 Ayes, 0 Nays; motion carried. (Mr. Fligner left the meeting before the vote).*

PUBLIC HEALTH NUISANCE REPORTS:

Letter from David Williams, Public Health Sanitarian, regarding conditions at 1401 West 19th Street. Mr. Williams' recommendation on this property is to remove it from the Demolition list. *Mr. Love made a motion which was seconded by Mr. Killinger to remove 1401 West 19th Street from the Demolition listing. 3 Ayes, 0 Nays; motion carried.*

INFORMATION:

Lorain City Health Department's 2008 Annual Report for the City of Avon Lake. Receive and file.

CONCERNS FROM PUBLIC: None

Mr. Love made a motion which was seconded by Mr. Killinger to adjourn the meeting. Meeting adjourned at 5:56pm.

APPROVED: _____
Mr. Bob Cool – President Pro Tem

ATTEST: _____
Terrence J. Tomaszewski