

**The Lorain District Municipal Board of Health their Regular Meeting on Wednesday –
December 16, 2009 at 4:30p.m.**

4:30 PM: Public Hearing – Regulation No. 972

Mr. Cool asked if there was anyone present for the Food Service Fees hearing and asked Mr. Mosely to provide a synopsis. Following Mr. Mosely's synopsis, Mr. Cool asked if the Board had any questions. Hearing none and with no public comments; Mr. Cool closed the public hearing.

PLEDGE OF ALLEGIANCE:

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

Mayor Anthony Krasienko-P; Mr. Robert G. Cool, Jr.-P; Mr. Donald Killinger-P; Mr. Don Love-P; Mr. Ben Fligner-A, Ms. Mary J. Santiago-P.

MINUTES: *Ms. Santiago made a motion which was seconded by Mr. Killinger to accept the November meeting minutes. 4 Ayes, 0 Nays; motion carried.*

MOVING PUBLIC HEALTH NUISANCE REPORTS TO THIS POINT IN THE MEETING

PUBLIC HEALTH NUISANCE REPORTS:

311 West 14th Street – 30 day extension. Mr. David Williams, Sanitarian, added that there is incomplete siding and that more trash has accumulated. Mr. Williams stated not a whole lot has changed in 30 days. Mr. Williams reminded the Board that the owner mentioned what he was going to do and it doesn't look like anything has been done. Mr. Williams stated this is still a public health nuisance. Mr. Watkins, owner, is not present today. Mayor Krasienko added that the Board showed the desire to work with this owner. *Mr. Love made a motion seconded by Ms. Santiago to refer all necessary information to the Lorain City Law Director to begin legal proceedings in Lorain County Common Pleas Court. 4 Ayes 0 Nays; motion carried..*

3707 Lorain Avenue – 30 day extension. Marie Crowfoot, owner, 3847 Lorain Avenue, present. Ms. Crowfoot cleaned up a pile of refuse on the property. Mr. Williams stated the side yard has improved, otherwise he can't verify anything inside the house. Mr. Williams does not consider this a public health nuisance. *Mr. Killinger made a motion seconded by Mr. Love to remove this property as a public health nuisance. 4 Ayes, 0 Nays; motion carried.*

1756-58 New Jersey Avenue – public hearing. Mr. Williams inspected the property yesterday and stated there are no changes. Fred Barck, a real estate broker and auctioneer from Vermilion, OH, who is working with attorney Michael Tully was present. Attorney Tully sent a fax to the Board of Health stating that the property would be auctioned. Mr. Budway, Assistant Law Director addressed Mr. Barck and asked to identify the new owner of the property. Fred Bennett is the new owner and he gave Mr. Budway a copy of the new owner information. Addressing the Board was Deborah Bennett Calabrese, 717 Jaycox Road; Dennis Allen Bennett of Texas is her brother and she owns eight (8) properties and family members own many others in this area. She can assure the Board that the nuisance conditions will be addressed. Mr. Howard Goldberg, Community Development Department, asked Ms. Calabrese what budget is in place for the development of the properties. She stated her family has purchased over eight (8) properties in the last three (3) years. *Mr. Love made a motion to declare this property a public health nuisance and forward it to the Law Directors office which died due to a lack of a second.* Mrs. Calabrese added this is going to be a CASH sale and there is no doubt this matter will be taken care of; the day that her brother (Dennis Bennett) gets title is the day he will begin work. After

further discussion; *Mr. Killinger made a motion seconded by Ms. Santiago to permit a 30-day extension, have the city assess it and in 30 days someone is to appear before this board and advise them as to what the owner will do. 3 Ayes, 1 Nay (Mr. Love); motion carried.*

1743-45 New Jersey Avenue – public hearing. Mr. Boyd present. Mr. Williams, Sanitarian, was at this property this morning and he said the owner has come a long way with this property; he covered holes, the electric and heat is on as well as the water, and in his opinion this property is no longer a public health nuisance. *Mr. Killinger made a motion seconded by Ms. Santiago to remove this property as a public health nuisance. 4 Ayes, 0 Nays; motion carried.*

2921-23 Cromwell Drive – public hearing. Mr. Williams, Sanitarian, inspected the property yesterday, and indicated that nothing has been accomplished. *Mr. Killinger made a motion seconded by Mr. Love to declare this a public health nuisance and refer all necessary information to the Lorain City Law Director to begin legal proceedings in Lorain County Common Pleas Court. 4 Ayes 0 Nays; motion carried*

724 West 13th Street – public hearing. Mr. Williams, Sanitarian, inspected the property yesterday, and indicated that nothing has been accomplished. *Ms. Santiago made a motion seconded by Mr. Killinger to declare this a public health nuisance and refer all necessary information to the Lorain City Law Director to begin legal proceedings in Lorain County Common Pleas Court. 4 Ayes 0 Nays; motion carried.*

1748 East 28th Street – public hearing. Ms Rivera present. Ms. Rivera of 813 East 33rd Street stated that repairs were started eight (8) weeks ago, weather permitting they are working on this property. *Mr. Love made a motion seconded by Mr. Killinger to grant Ms. Rivera a 30-day extension. 4 Ayes, 0 Nays; motion carried.*

5300 Gargas Drive – public hearing. Mr. Williams, Sanitarian, stated nothing was accomplished with this property. Mr. Howard Goldberg, Community Development Department, stated that he has been pleading with National City Bank to do something with this but they just can't do anything. *Mr. Killinger made a motion seconded by Mr. Love to declare this a public health nuisance and refer all necessary information to the Lorain City Law Director to begin legal proceedings in Lorain County Common Pleas Court. 4 Ayes 0 Nays; motion carried*

CORRESPONDENCE:

None.

Mr. Budway, Assistant Law Director and Board Member, Mr. Killinger left the meeting.

FINANCIAL REPORT:

Year to date Financial Report – November, 2009 - Mr. Cool and Ms. Santiago wanted to know why the auditor took the money out of unemployment compensation account; an explanation from the Auditor is requested. *Mr. Love made a motion which was seconded by Ms. Santiago to accept the financial report. 3 Ayes, 0 Nays; motion carried.*

Bills: The following bills were presented for payment:

Lorain City Health Department - Monthly Bills - December 2009

VENDOR	DESCRIPTION	AMOUNT	GRANT (if appl)
Access Group	HIV Prevention Grant - condoms	\$ 496.00	HIV
Accu Medical Waste Services	Medical Waste Pick Up- 11/4/09	\$ 42.00	
Accu Medical Waste Services	Medical Waste Pick Up (12/2/09 - 2 large boxes)	\$ 84.00	
Ann Boehlein	Car Allowance - Sept/Oct/Nov 2009	\$ 41.25	
Centurytel	Phone Charges: Bill date 10/7/09	\$ 666.13	
Centurytel	Phone Charges: Bill date 11/7/09	\$ 549.36	
CHC Software Inc.	Staff Training for HDIS on 10/22/09	\$ 264.30	PHI
Cleveland Dept of Public Health	Lead Samples/Testing - October 2009	\$ 56.00	
Columbia Gas	Gas Service 8ccf used - Actual Reading 11/18/09	\$ 21.23	
David Williams	Car Allowance - September 2009 & October 2009	\$ 20.35	
David Williams	Car Allowance - November 2009	\$ 16.50	
Emerge Inc.	Website Updates: Birth/Death certificate price increase change	\$ 75.00	
Federal Express	Overnight Shipping Charges	\$ 42.55	
Federal Express	Overnight Shipping Charges	\$ 119.52	
First Merit Bank	Emergency Purchase to Repair Server with Dell	\$ 1,031.95	PHI
First Merit Bank	Visa/MC Fees - November 2009	\$ 104.20	
Fleming Mosely	Car Allowance - September 2009 & October 2009	\$ 20.90	
Fleming Mosely	Car Allowance - November 2009	\$ 40.15	
Gergely's Maintenance King	Janitorial Services (November & December 2009)	\$ 1,848.00	
Gergely's Maintenance King	Cleaning for sewer back up: floor extraction-2 public restrooms	\$ 75.00	
Gloria Gonzalez	Car Allowance - September 2009 & October 2009	\$ 373.45	
Gloria Gonzalez	Car Allowance - November 2009	\$ 144.10	
Health Impressions	Help Me Grow Incentive Items	\$ 997.00	HMG
Jill Darrow	Car Allowance - September 2009 & October 2009	\$ 217.25	
Jill Darrow	Car Allowance - November 2009	\$ 114.95	
Joshua Jenkins	Car Allowance - September 2009 & October 2009	\$ 119.90	
Joshua Jenkins	Car Allowance - November 2009	\$ 73.70	
Kathy Loughrie	Car Allowance - September 2009 & October 2009	\$ 260.43	
Kathy Loughrie	Car Allowance - November 2009	\$ 206.80	
Kimberly Stutt	Car Allowance - September 2009 & October 2009	\$ 338.25	
Kimberly Stutt	Car Allowance - November 2009	\$ 89.10	
Lorain County Gen Health District	3rd & 4th Quarter CVH Contract Payments (\$19125/qtr)	\$ 38,250.00	CVH
Lynn Rebman	Car Allowance - September 2009	\$ 99.00	PHI
Lynn Rebman	Car Allowance - October 2009	\$ 31.90	PHI
Lynn Rebman	Car Allowance - November 2009	\$ 50.05	PHI
Mahoning County BOH	Lead Wipes (3351 Pearl Ave & 1129 West 21st St)	\$ 200.00	
Martina Ewers	Car Allowance - September 2009 & October 2009	\$ 139.60	
Martina Ewers	Car Allowance - November 2009	\$ 64.35	
Monica Tomaszewski	Car Allowance - September 2009 & October 2009	\$ 257.95	
Monica Tomaszewski	Car Allowance - November 2009	\$ 140.80	
MT Business Technologies	Copy Kits for basement copier (A7359) (May, Jun, Jul, Oct)	\$ 550.00	
MT Business Technologies	Billable Copies [Ricoh Aficio CL7000] - October 2009	\$ 9.45	
MT Business Technologies	Lease on Aficio [A7356-VS] - May, Jun, Jul, Oct 2009	\$ 576.00	
Nancy Toth	Car Allowance - September 2009 & October 2009	\$ 217.25	
Ohio Division of Real Estate	Burial Permit Fee - October 2009	\$ 150.00	
Ohio Division of Real Estate	Burial Permit Fee - November 2009	\$ 122.50	
Ohio Edison	Electric Service - 11/18/09	\$ 1,983.85	
Orasure Technologies	Oraquick advance rapid HIV/controls/oral fluid/S&H	\$ 2,460.29	
OSU College of Public Health	Registr-Nancy Toth 2009 Public Health Educ Principles Courses	\$ 299.00	
Romco Fire & Safety	Annual Inspection Fee (fire): Fire Extinguishers	\$ 177.77	
Sheryl Corbin	Car Allowance - November 2009	\$ 9.52	
Teresa Kuhlman	Car Allowance - September 2009 & October 2009	\$ 531.30	
Teresa Kuhlman	Car Allowance - November 2009	\$ 211.20	
Treasurer of State	Vital Statistics Fee - October 2009	\$ 2,816.56	
Treasurer of State	Vital Statistics Fee - November 2009	\$ 2,589.84	
Treasurer, State of Ohio	Dangerous Drug License-Annual Renew-[1/1/2010 - 12/31/2010]	\$ 150.00	
Treasurer, State of Ohio (EPA)	EPA C&DD Disposal Fee Transmittal - October 2009	\$ 1,037.97	
US BANK	Month to month lease payment on Ricoh 2045 copier (Aug & Oct)	\$ 615.54	
Verizon Wireless	Cell Phones (7/21-8/20), (8/21-9/20), (9/21-10/20)	\$ 1,548.65	PHI
Verizon Wireless	Cell Phone Charges (10/21/09-11/20/09)	\$ 508.63	PHI
Yvonne Sproule	Car Allowance - September 2009 & October 2009	\$ 178.75	
Yvonne Sproule	Car Allowance - November 2009	\$ 55.55	
		\$ 64,582.59	

Ms. Santiago made a motion, which was seconded by Mr. Love to forward the presented bills for payment. Roll Call 3 Ayes, 0 Nays; motion carried.

ACTIVITY / COMMITTEE REPORTS:

October, 2009 Activity Report: *Ms. Santiago made a motion seconded by Mr. Love to accept the activity report. 3 Ayes, 0 Nays; motion carried.*

OLD BUSINESS:

2010 Budget Appropriations – Budget Work Group proposal. A draft budget was presented as prepared by the work group (Mr. Killinger; Ms. Santiago; Mr. Tomaszewski) with no salary increases; based upon eighty (80) hours bi-weekly; there will be twenty-seven (27) pays periods in 2010. Mr. Ritenauer, Deputy Safety/Service Director indicated receipt of the budget proposal and will follow-up with the budget work group in the near future for further discussion. Mayor Krasienko added that there are two issues going to City Council tomorrow: a preliminary assessment of General Fund monies; and a proposal to increase the tax credit. *Mr. Love made a motion seconded by Ms. Santiago to hold in abeyance until further direction from the Budget Work Group. 3 Ayes, 0 Nays; motion carried.*

Ms. Santiago inquired as to the status of the legal opinion request regarding the Board's authority to establish and certify its appropriations. Mr. Tomaszewski will follow up with the Law Director regarding this matter.

Regulation No. 972 and related information; establishing fees for food service operations – second reading. *Ms. Santiago made a motion seconded by Mr. Love to refer to third reading. 3 Ayes, 0 Nays; motion carried.*

NEW BUSINESS:

Resolution No. 975 authorizing Memorandum of Agreement with the Ohio Department of Health for participation in the Medicaid Administrative Claiming process (MAC). *Mr. Love made a motion seconded by Ms. Santiago to refer Resolution No. 975 to a 2nd reading. 3 Ayes, 0 Nays; motion carried.*

Ohio Department of Health survey of the Lorain City Health Department's Marina Program conducted on March 12, 2009. *Ms. Santiago made a motion seconded by Mr. Love to accept the survey report. 3 Ayes, 0 Nays; motion carried.*

Letters and Regulation No. 976 from Fleming Mosely, Director of Environmental Health, repealing Regulation No. 967; 716; 737 and establishing fees for state mandated programs (Swimming Pools; Marinas, Manufactured Home Parks, and Tattoo/Bodying Piercing) and set a public hearing. All operators will be notified of the public hearing, *Mr. Love made a motion seconded by Ms. Santiago to refer Regulation No. 976 to a 2nd reading and set a public hearing for January 20, 2010 4:30 PM. 3 Ayes, 0 Nays; motion carried.*

Improvement Standards & Application for State Subsidy. Mr. Tomaszewski stated this is an annual state subsidy application that must be submitted each year by January 1st. *Ms. Santiago made a motion seconded by Mr. Love to approve the application and authorizes the submission of the application. 3 Ayes, 0 Nays; motion carried.*

INFORMATION:

Mr. Tomaszewski provided the Board with an H1N1 current summary report.

CONCERNS FROM PUBLIC:

Ms. Santiago made a motion which was seconded by Mr. Love to adjourn the meeting. 3 Ayes, 0 nays; Meeting adjourned at 6:04pm.

APPROVED: _____

Mr. Bob Cool – President Pro Tem

ATTEST: _____

Terrence J. Tomaszewski