

**The Lorain District Municipal Board of Health their Regular Meeting on Wednesday –  
January 19, 2011 at 4:30p.m.**

**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- P, Ms. Mary J. Santiago-P.

**PRESENT:** Ann Boehnlein; David Williams; Kathy Loughrie; Mike Castro; Walmart Baker; Barry Whitfield; Jamison Kaple; Michelle Crossan; Fleming Mosely; Sue Love; Rick Payerchin (Morning Journal); Richard Miller; Rick Lucente (6<sup>th</sup> Ward Councilman);

**MINUTES:** *Mr. Cool made a motion seconded by Mr. Love to accept the regular meeting minutes as presented for the December 15, 2010 meeting. 5 Ayes, 0 Nays; motion carried.*

**PUBLIC HEALTH NUISANCE REPORTS:**

**803-809 South Central Drive – Public Hearing:** No representation present. *Mr. Killinger made a motion seconded by Mr. Fligner to declare this property a public health nuisance and proceed with the abatement of nuisance by demolition. 5 Ayes, 0 Nays; motion carried.*

**849-855 North Central Drive – Public Hearing:** Richard Miller present. *Mr. Fligner made a motion seconded by Ms. Santiago to grant Mr. Miller a 30-day extension contingent upon Mr. Miller providing the Board a plan of action. 5 Ayes, 0 Nays; motion carried.*

**218 West 23rd Street – Public Hearing:** No representation present. *Mr. Cool made a motion seconded by Mr. Fligner to declare this property a public health nuisance and proceed with the abatement of nuisance by demolition. 5 Ayes, 0 Nays; motion carried.*

**1717 Lexington Avenue – Public Hearing:** Walmart Baker present (495 High Street, Berea, OH); has no further interest in this property and does not have the resources to abate nuisance. *Mr. Cool made a motion seconded by Mr. Love to declare this property a public health nuisance and proceed with the abatement of nuisance by demolition. 5 Ayes, 0 Nays; motion carried.*

**1835 Hamilton Avenue – Public Hearing:** Barry Whitfield present (1935 Hamilton Avenue). Mr. Whitfield presented detailed information to the Board regarding his intent to abate said nuisance and to live in this property. *Mr. Cool made a motion seconded by Mr. Fligner to remove this property from the Public Health Nuisance list.*

**1809 West 21st Street – Public Hearing:** No representation present. Upon the recommendation of R. J. Budway, Assistant Law Director: *Mr. Cool made a motion seconded by Ms. Santiago to remove Fifth Street Realty Company from the abatement order as the lien holder. 5 Ayes, 0 Nays; motion carried. Mr. Fligner made a motion seconded by Mr. Love to declare this property a public health nuisance and proceed with the abatement of nuisance by demolition. 5 Ayes, 0 Nays; motion carried.*

**2947 Crehore Street – Public Hearing:** No representation present. *Mr. Fligner made a motion seconded by Mr. Love to declare this property a public health nuisance and proceed with the abatement of nuisance by demolition. 5 Ayes, 0 Nays; motion carried.*

**1721 East 29th Street – 30 Day Extension.** Miguel A. Castro – 2148 East 30<sup>th</sup> Street (owner) addressed the Board regarding this matter. After much discussion, *Mr. Fligner made a motion seconded by Ms. Santiago to remove this property from the Public Health Nuisance list*

*contingent upon Mr. Castro providing monthly updates to the Board. 5 Ayes, 0 Nays; motion carried.*

**908 West 7th Court – 30 Day Extension.** Jamison Kaple (representing owner Aden Fogel) addressed the Board regarding this matter. After discussion, *Mr. Killinger made a motion seconded by Mr. Love to grant another 30-day extension. 5 Ayes, 0 Nays; motion carried.*

**CORRESPONDENCE:**

**Letter from the Ohio Department of Health regarding Food Protection Program Survey, January 25, 2011.** Receive and file.

**FINANCIAL REPORT:**

**Year to Date Financial Report – December 2010.** *Mr. Fligner made a motion seconded by Mr. Cool to accept the Financial Report as presented. 5 Ayes, 0 Nays; motion carried.*

**Certification of December 2010 Board of Health expenditures.** *Mr. Cool made a motion seconded by Mr. Killinger to certify December 2010 expenditures as reasonable, necessary and lawful expenses incurred by the health district and forward to Lorain City Council. Roll Call 5 Ayes, 0 Nays; motion carried.*

**ACTIVITY / COMMITTEE REPORTS:**

**November 2010 Activity Report.** *Mr. Cool made a motion seconded by Mr. Love to accept the activity report as presented. 5 Ayes, 0 Nays; motion carried.*

**OLD BUSINESS:** None

**NEW BUSINESS:**

**Resolution No. 993 authorizing agreement with Lorain County General Health District and the Elyria City Health Department to implement the Public Health Emergency Response (PHER) initiative.** *Mr. Fligner made a motion seconded by Mr. Killinger to suspend the rules for passage of Resolution No. 993. 5 Ayes, 0 Nays; motion carried. Mr. Fligner made a motion seconded by Mr. Killinger to pass Resolution No. 993. 5 Ayes, 0 Nays; motion carried.*

**RESOLUTION NO. 993**

**RESOLUTION AUTHORIZING THE HEALTH COMMISSIONER OF THE DISTRICT MUNICIPAL BOARD OF HEALTH OF THE CITY OF LORAIN, OHIO, TO ENTER INTO AN AGREEMENT WITH THE LORAIN COUNTY GENERAL HEALTH DISTRICT; AND THE ELYRIA CITY HEALTH DEPARTMENT; TO IMPLEMENT THE PUBLIC HEALTH EMERGENCY RESPONSE (PHER) INITIATIVE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Lorain County General Health District, in light of a possible influenza pandemic, has received a grant from the Ohio Department of Health as part of an ongoing cooperative effort among health departments and businesses throughout the State of Ohio for a proper and adequate response to the possible pandemic; and

**WHEREAS**, the Ohio Department of Health grant program is entitled Public Health Emergency Response (PHER) and is further known as ODH Program No. 47-1-001-2-PI-0211 for the budget period of August 10, 2010 through July 31, 2011;

**WHEREAS**, the three health districts within Lorain County have jointly prepared, and have submitted to the Ohio Department of Health, the Lorain County Public Health Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the District Municipal Board of Health, City of Lorain, State of Ohio:

**SECTION 1.** That the Health Commissioner is hereby authorized to enter into an agreement with the Lorain County General Health District and the Elyria City Health Department to perform the services with qualified employees and accomplish the deliverables as are described in the Plan, in accordance with any requirements, and subject to any conditions, as may be imposed by the Ohio Department of Health.

**SECTION 2.** That the Lorain Municipal Health District shall be paid and allocated, for the budget year, the total sum of **\$64,500.00**.

**SECTION 3.** That it is found and determined that all formal actions of this Board of Health concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and that all deliberations of this Board that resulted in such formal action, were in meetings open to the public and in compliance with all legal requirements, including §121.22 of the Ohio Revised Code.

**SECTION 4.** That this resolution is hereby declared to be an emergency, the nature of which is the immediate need to cooperate among health departments and businesses throughout the State of Ohio for a proper and adequate response to a possible pandemic, all in order to preserve the health, welfare and safety of the citizens of the Lorain Municipal Health District.

**SECTION 5.** That this resolution shall take effect and be in force on and after August 10, 2010.

**PASSED:** January 19, 2011

**APPROVED:** Tony Krasienko (signed)  
Tony Krasienko, President

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

**Resolution No. 994 authorizing agreement with Cuyahoga County Board of Health to implement the Cities Readiness Initiative (CRI).** *Ms. Santiago made a motion seconded by Mr. Cool to suspend the rules for passage of Resolution No. 994. 5 Ayes, 0 Nays; motion carried. Ms. Santiago made a motion seconded by Mr. Cool to pass Resolution No. 994. 5 Ayes, 0 Nays; motion carried.*

## **RESOLUTION NO. 994**

**A RESOLUTION AUTHORIZING THE HEALTH COMMISSIONER OF THE DISTRICT MUNICIPAL BOARD OF HEALTH OF THE CITY OF LORAIN, OHIO, TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY BOARD OF HEALTH; TO FUND THE GRANT PROJECT ENTITLED CITIES READINESS INITIATIVE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Cuyahoga County General Health District has been designated the fiscal administrative agent for the Cities Readiness Initiative (CRI) grant from the Ohio Department of

Health for emergency preparedness and for planning for a proper and adequate response to potential future biological or chemical attacks and the increasing incidences of contagious diseases; and

**WHEREAS**, the Ohio Department of Health grant program is entitled Cities Readiness Initiative (CRI) for the budget period of August 10, 2010 through August 9, 2011;

**NOW, THEREFORE, BE IT RESOLVED** by the District Municipal Board of Health, City of Lorain, State of Ohio:

**SECTION 1.** That the Lorain City Health Commissioner is hereby authorized to enter into the agreement attached hereto with the Cuyahoga County Board of Health to fund and implement the grant project entitled Cities Readiness Initiative.

**SECTION 2.** That the Lorain Municipal Health District shall be paid and allocated, for the budget year, the total sum of \$12,731.00.

**SECTION 3.** That it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Ohio Revised Code §121.22.

**SECTION 4.** That this Resolution is hereby declared to be an emergency, the nature of which is the immediate need for emergency preparedness and for planning for a proper and adequate response to potential future biological or chemical attacks and the increasing incidences of contagious diseases and other public health services, all in order to preserve the health, welfare and safety of the citizens of the Lorain Municipal Health District.

**SECTION 5.** That this resolution shall take effect and be in force on and after August 10, 2010.

**PASSED:** January 19, 2011

**APPROVED:** Tony Krasienko (signed)  
Tony Krasienko, President

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

**Resolution No. 995 – 2011 Budget Appropriations; first reading.** *Mr. Killinger made a motion seconded by Mr. Cool to move Resolution No. 995 to a second reading. 5 Ayes, 0 Nays; motion carried.*

**Maternity Licensure – Board of Health – Certificate of Approval: Roll Call.** *Mr. Fligner made a motion seconded by Mr. Cool to authorize the Certificate of Approval. Roll Call 5 Ayes, 0 Nays; motion carried.*

**Resolution No. 996 authorizing amended agreement with City of Lorain for the Neighborhood Stabilization Program (NSP).** *Mr. Fligner made a motion seconded by Ms. Santiago to suspend the rules for passage of Resolution No. 996. 5 Ayes, 0 Nays; motion carried. Mr. Fligner made a motion seconded by Ms. Santiago to pass Resolution No. 996. 5 Ayes, 0 Nays; motion carried.*

**RESOLUTION NO. 996**

**A RESOLUTION AUTHORIZING THE HEALTH COMMISSIONER, AND THE DIRECTOR OF ENVIRONMENTAL HEALTH OF THE DISTRICT MUNICIPAL BOARD OF HEALTH OF THE CITY OF LORAIN, OHIO, TO ENTER INTO AN AMENDED SUB-RECIPIENT AGREEMENT WITH THE CITY OF LORAIN, OHIO, TO PROVIDE INSPECTION SERVICES FOR BLIGHTED, ABANDONED OR FORECLOSED PROPERTIES IDENTIFIED AS PUBLIC HEALTH NUISANCES FOR THE PURPOSE OF DEMOLITION AND LAND BANKING IN ACCORDANCE WITH THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP), AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Lorain District Municipal Board of Health enacted Resolution No. 963 on June 17, 2009, which authorized Agreement #A-2009-9 with the City of Lorain; and

**WHEREAS**, the Lorain District Municipal Board of Health enacted Resolution No. 982 on May 19, 2010, establishing a "Demolition Procedure" for abating public health nuisances; and

**WHEREAS**, the City of Lorain as per City Ordinance has proposed an amendment to Agreement #A-2009-9;

**NOW, THEREFORE, BE IT RESOLVED** by the District Municipal Board of Health, City of Lorain, State of Ohio:

**SECTION 1.** That the Health Commissioner, and the Director of Environmental Health of the District Municipal Board of Health of the City of Lorain, Ohio, be hereby authorized to enter into an amended agreement with the City of Lorain, Ohio, to provide inspection services for blighted, abandoned or foreclosed properties identified as nuisances for the purpose of demolition and land banking in accordance with the Neighborhood Stabilization Program.

**SECTION 2.** That the City of Lorain, through the Neighborhood Stabilization Program will reimburse the health district, upon receipt and approval of monthly invoices, the cost to provide services identified in said agreement.

**SECTION 3.** That amended sub-recipient agreement shall not exceed \$22,705.00 and terminate on December 31, 2011.

**SECTION 4.** That it is found and determined that all formal actions of this Board of Health concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and that all deliberations of this Board that resulted in such formal action, were in meetings open to the public and in compliance with all legal requirements, including §121.22 of the Ohio Revised Code.

**SECTION 5.** That this resolution is hereby declared to be an emergency, the nature of the emergency being the need to remove public health nuisances as declared by the Lorain District Municipal Board of Health within the Lorain Municipal Health District.

**SECTION 6.** That this resolution shall take effect and be in force on and after January 1, 2011.

**PASSED:** January 19, 2011

**APPROVED:** Tony Krasienko (signed)  
Tony Krasienko, President

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

**INFORMATION:**

**Meeting update from Lynn Rebman, Public Health Preparedness Coordinator, regarding the “Emergency Planning for Special Needs Communities” held on December 7-8, 2010 in Columbus, Ohio.** Receive and file.

**Citizens for a Healthy Lorain – Termination Finance Report.** Receive and file.

**HIV Education Grant – quarterly report, period ending December 31, 2010.** *Mr. Killinger made a motion seconded by Ms. Santiago to accept this report. 5 Ayes, 0 Nays; motion carried.*

**CONCERNS FROM PUBLIC:**

Rick Lucente, 6<sup>th</sup> Ward Councilman, brought up the property 1916 East 30<sup>th</sup> and asked the Board consider this property for demolition. Mr. Lucente would also like to add that the Health Department is doing a good job and he appreciates it!

*Mr. Love made a motion which was seconded by Mr. Santiago to adjourn the meeting. 5 Ayes, 0 Nays; motion carried. Meeting adjourned at 6:00pm.*

**APPROVED:** \_\_\_\_\_  
Tony Krasienko – Mayor/President

**ATTEST:** \_\_\_\_\_  
Terrence J. Tomaszewski, Secretary