

**The Lorain District Municipal Board of Health their Regular Meeting on Wednesday –
March 17, 2010 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-A; Mr. Ben Fligner-P, Ms. Mary J. Santiago-P.

CHANGE IN AGENDA ORDER: Law Director Patrick Riley is present to address the Board of Health regarding the legal opinion his office provided to the Board concerning the necessary appropriation for the department. Mr. Riley indicated there needs to be a dialog between the Board of Health and City Council and he is encouraging such dialog to come up with a viable solution.

Mr. Killinger made a comment on who's responsibility is it to decide what programs are mandated or necessary for the Health Department to carry out and what is comes down to is what is important for this community. Receive and file this legal opinion.

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

PUBLIC HEALTH NUISANCE REPORTS/HEARINGS:

1748 East 28th Street – 30 day extension (second and final): Mr. Williams, Public Health Sanitarian, showed pictures of this property from October 2009, February 2010 and today. Mr. Williams indicated today it was completely clean and in his opinion the problem has been abated. *Mr. Fligner made a motion seconded by Ms. Santiago to remove this property from the public health nuisance list. 4 Ayes, 0 Nays; motion carried.*

217 West 15th Street – public hearing: Mr. Williams said there has been no further improvement. Martha Pye was present and she is representing her brother Mr. Hough and Annie Hough. Mr. Goldberg, Lorain Community Development Department, recommended holding this in abeyance until County Records can be corrected establishing proper ownership as county records has ownership listed in reverse at this time. Mr. Budway, Assistant Law Director, concurs. Mr. Williams stated the house is accessible and open. *Mr. Fligner made a motion seconded by Ms. Santiago to hold this property in abeyance until the Law Director's office can confirm proper ownership. 4 Ayes, 0 Nays; motion carried.*

1517 Fillmore Avenue – public hearing: Board acknowledged Susan E. Mandryk, attorney representing Citimortgages Inc., who indicated that Citimortgages Inc. has boarded up the property. Ms. Mandryk has copies of letters that were not served to them properly, aside from that Citimortgages Inc. did obtain approval from the investor to do some work on the property. It is not owned by Citimortgages Inc. so they are limited to as what they can do. Mr. Cool asked what Citimortgages Inc.'s intent is. Ms Mandryk responded to secure glass door on 1st floor, replace sump pump, remove debris, etc. Sheriff sale is scheduled for April 21st. Mr. Williams, Public Health Sanitarian, does feel that this is still a public health nuisance. *Mr. Fligner 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.* Mr. Budway, Assistant Law Director, asked Mr. Williams what would be the proper abatement of this property and Mr. Williams recommends demolition.

904 West 7th Court – public hearing: Board acknowledged George Schneider, owner; he has not done anything to this property but is willing to do whatever it takes as the Board wishes. He said he needs 60 days. David W. Carter present as well and he indicated they'll clean the place

up and secure it. Mr. Carter is a partner with Schneider on this property. Clean the garage out and secure it. Pull the proper permits. Mr. Cool asked why it has been left to get to this point. Mayor Krasienko communicated previous report on this property. Mr. Killinger stated that they do have reports on this property. Mr. Budway, Assistant Law Director asked Mr. Williams if this is a public health nuisance and he asked what would need to be done to abate it and Mr. Williams answered demolition. *Mr. Killinger 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.*

915 West 6th Court – public hearing: Mr. Williams has noted no changes. No one present for representation. Mr. Williams stated that demolition would be his recommendation for abatement. *Mr. Fligner 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.*

822 West 21st Street – public hearing: Mr. Williams said the house looks good, very improved especially on the outside. Property Owner: Scottie Boyer present. Mr. Cool asked him his intentions. He said he's already done with the plumbing and is ready for stage 2. Mr. Williams stated in his opinion, this house is no longer a public health nuisance. *Mr. Fligner made a motion seconded by Ms. Santiago to remove this property from the public health nuisance list. 4 Ayes 0 Nays; motion carried.*

806/812 South Central Drive – public health nuisance: Mr. Williams did not enter the house today as he did not have access. Paulette Lilly, attorney representing property owners was acknowledged by the Board. Ms. Lilly is asking this property not be declared a public health nuisance. This four unit rental property is registered as a Multi Dwelling with the Lorain City Health Department. *Mr. Killinger made a motion seconded by Ms. Santiago to declare this property a Public Health Nuisance, issue a 30-day abatement citation and set a hearing at the Lorain City Health Department for 4:30pm on April 21, 2010. 3 Ayes, 0 Nays; 1 Abstain (Mr. Fligner); motion carried.* Attorney Lilly indicated she will be out of town that week in April and is requesting if the hearing can take place the following month? *Mr. Killinger made a motion seconded by Ms. Santiago to declare this property a Public Health Nuisance, issue a 30-day abatement citation and set a hearing at the Lorain City Health Department for 4:30pm on May 19, 2010. 3 Ayes, 0 Nays; 1 Abstain (Mr. Fligner); motion carried.*

901/907 South Central Drive – public health nuisance: *Mr. Fligner made a motion seconded by Ms. Santiago to declare this property a Public Health Nuisance, issue a 30-day abatement citation and set a hearing at the Lorain City Health Department for 4:30pm on April 21, 2010. 4 Ayes, 0 Nays; motion carried.*

909/915 South Central Drive – public health nuisance: Kevin Weaver is present for this property – he stated his property up for foreclosure so they don't have money to pay the mortgage let alone repairing it and allowing vandals to destroy it. Mr. Goldberg, Community Development Department, confirmed that he is in foreclosure. *Mr. Killinger made a motion seconded by Ms. Santiago to declare this property a Public Health Nuisance, issue a 30-day abatement citation and set a hearing at the Lorain City Health Department for 4:30pm on April 21, 2010. 4 Ayes, 0 Nays; motion carried.*

917/919 South Central Drive – public health nuisance: *Mr. Fligner made a motion seconded by Ms. Santiago to declare this property a Public Health Nuisance, issue a 30-day abatement citation and set a hearing at the Lorain City Health Department for 4:30pm on April 21, 2010. 4 Ayes, 0 Nays; motion carried.*

921/927 South Central Drive – public health nuisance: *Ms. Santiago made a motion seconded by Mr. Killinger to declare this property a Public Health Nuisance, issue a 30-day abatement citation and set a hearing at the Lorain City Health Department for 4:30pm on April 21, 2010. 4 Ayes, 0 Nays; motion carried.*

CORRESPONDENCE: None.

FINANCIAL REPORT:

Year to date Financial Report – February 2010. Mr. Tomaszewski explained that this report is based on the temporary budget. *Mr. Fligner made a motion which was seconded by Mr. Killinger 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 - March 2010

VENDOR	DESCRIPTION	AMOUNT	GRANT or PROGRAM (if applicable)
Accu Medical Waste	Medical Waste Pick Up - 3/3/10	\$ 42.00	
Ann Boehnlein	Car Allowance - January & February 2010	\$ 38.50	
BFM Sales	Rechargeable Battery	\$ 42.38	PHI
Centurytel	Phone Charges: Bill date 2/7/10	\$ 491.36	
Columbia Gas	Gas Service 6ccf used - Estimated Reading 2/22/10	\$ 25.51	
David Williams	Car Allowance - February 2010	\$ 86.50	
Federal Express	Overnight Shipping Charges	\$ 13.00	
Federal Express	Overnight Shipping Charges	\$ 215.67	
First Merit Bank	Visa/MC Monthly Charges - February 2010	\$ 190.18	
Fleming Mosely	Car Allowance - February 2010	\$ 25.00	
Gergely's Maintenance King	Road Runner Ice Melter 50# (SWIRR50BG)	\$ 139.26	
Gloria Gonzalez	Car Allowance - February 2010	\$ 170.00	
Jill Darrow	Car Allowance - February 2010	\$ 110.00	
Joshua Jenkins	Car Allowance - February 2010	\$ 91.00	
Kimberly Stutt	Car Allowance - February 2010	\$ 135.50	
Lynn Rebman	Car Allowance - February 2010	\$ 34.00	PHI
Martina Ewers	Car Allowance - February 2010	\$ 58.50	
Monica Tomaszewski	Car Allowance - February 2010	\$ 121.50	
Nancy Toth	Car Allowance - February 2010	\$ 86.00	
Ohio Division of Real Estate	Burial Permit Fee - January 2010	\$ 105.00	
Ohio Edison	Electric Service - 2/18/10	\$ 2,760.25	
Sheryl Corbin	Car Allowance - February 2010	\$ 11.05	
Teresa Kuhlman	Car Allowance - February 2010	\$ 179.00	
Treasurer of State	Vital Statistics Fee - January 2010	\$ 2,956.08	
Treasurer, State of Ohio	RFE Fee - February 2010	\$ 1,988.00	
Treasurer, State of Ohio	FSO Fee - February 2010	\$ 3,852.00	
Treasurer, State of Ohio (EPA)	EPA C&DD Disposal Fee Transmittal - January 2010	\$ 1,150.26	
Verizon Wireless	Cell Phone Charges (1/21/10 - 2/20/10)	\$ 487.37	PHI
Yvonne Sproule	Car Allowance - February 2010	\$ 65.00	
		\$ 15,669.87	

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

ACTIVITY / COMMITTEE REPORTS:

January 2010 Activity Reports. *Ms. Santiago made a motion which was seconded by Mr. Killinger to accept the January 2010 Activity Report as presented. 4 Ayes, 0 Nays; motion carried.*

OLD BUSINESS:

Resolution No. 975 establishing/certifying 2010 Health Department budget appropriations – second reading. Mr. Tomaszewski provided the Board some additional information and a recommended amended Resolution No. 975 that reflects the permanent budget was passed by Lorain City Council on March 15, 2010. Mayor Krasienko is going to schedule a meeting with

the Board's Budget Work Group; City Council's Chairman of the Finance & Claim Committee to address the 2010 appropriations as per the recent legal opinion issued by the Law Director. Mayor Krasienko will get back with Mr. Tomaszewski as to what day next week will work for all involved for this meeting. *Ms. Santiago made a motion seconded by Mr. Killinger to refer amended Resolution No. 975 to a third reading. 4 Ayes, 0 Nays; motion carried.*

NEW BUSINESS:

Request from Lynn Rebman, Public Health Preparedness Coordinator, to attend the 2010 Integrated Medical, Public Health Preparedness & Response Training Summit, Nashville, TN on May 12-14, 2010 and be reimbursed (CRI Grant Expense). *Mr. Killinger made a motion seconded by Ms. Santiago to authorize this travel expense. Roll Call 4 Ayes, 0 Nays; motion carried.*

Resolution No. 979, letter from Kathy Loughrie, Director of Nursing, and proposed MOU, regarding Family Planning Services of Lorain County. *Ms. Santiago made a motion seconded by Mr. Killinger to suspend the rules for Resolution No. 979. 4 Ayes, 0 Nays; motion carried. Ms. Santiago made a motion seconded by Mr. Killinger to pass Resolution No. 979. 4 Ayes, 0 Nays; motion carried.*

RESOLUTION NO. 979

A Resolution authorizing the President of the District Municipal Board of Health of the City of Lorain, Ohio, to enter into a "Memorandum of Understanding"(MOU) with Family Planning Services of Lorain County (FPS), to establish a satellite clinic at the Lorain City Health Department, 1144 West Erie Avenue, Lorain, Ohio, effective April 1, 2010, and declaring an emergency.

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

- Section 1 A resolution authorizing the President of the Lorain District Municipal Board of Health to enter into a "Memorandum of Understanding" with Family Planning Services of Lorain County; to establish a satellite clinic at the Lorain City Health Department facilities, 1144 West Erie Avenue, Lorain, Ohio.
- Section 2 That services identified in said MOU are mutually agreed upon and are a result of a cooperative effort to make available accessible services provided by Family Planning Services of Lorain County.
- Section 3 There will be no exchange of funds from either agency involved with this Memorandum of Understanding.
- Section 4 That this agreement shall become effective April 1, 2010 and shall be in effect until terminated by either party with a thirty (30) day written notice.
- Section 5 That this resolution is hereby declared to be an emergency, the nature of the emergency being the need to provide easy access to Family Planning Services of Lorain County to residents of the health district.

Section 6 That 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 April 1, 2010.

PASSED: March 17, 2010

APPROVED: Mayor Krasienko (signed)
Tony Krasienko, President

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

2009 Department Achievements. *Mr. Killinger made a motion seconded by Ms. Santiago to accept the 2009 department achievements as presented. 4 Ayes, 0 Nays; motion carried.*

2009 Annual Financial Report – Ohio Department of Health. *Ms. Santiago made a motion seconded by Mr. Fligner to accept the 2009 Annual Financial Report as submitted to the Ohio Department of Health. 4 Ayes, 0 Nays; motion carried.*

2009 Department Annual Report. *Ms. Santiago made a motion seconded by Mr. Killinger to accept the 2009 Lorain City Health Department Annual Report as submitted. 4 Ayes, 0 Nays; motion carried. Mr. Cool indicated this report is exceptional work!*

Resolution No. 980, authorizing agreement for lawn care – 2010. *Ms. Santiago made a motion seconded by Mr. Fligner to suspend the rules for Resolution No. 980. 4 Ayes, 0 Nays; motion carried. Ms. Santiago made a motion seconded by Mr. Fligner to pass Resolution No. 980. Roll Call 4 Ayes, 0 Nays; motion carried.*

RESOLUTION NO. 980

A Resolution authorizing the Health Commissioner of the Lorain City Health Department of the City of Lorain, Ohio, to enter into a contract with Taylor's Lawn Care for the seasonal maintenance of the Lorain City Health Department grounds, 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 contract with Taylor's Lawn Care for "Seasonal Maintenance" of the Lorain City Health Department grounds.

Section 2 That Taylor's Lawn Care will provide weekly grass mowing for thirty-four (34) weeks and one (1) shrub trim in June and one shrub trim in November.

Section 3 That said contract with Taylor's Lawn Care shall be for a total charge of Three Thousand Ten Dollars and no cents (\$3,010.00); with payment made in full no later than May 15, 2010.

- Section 4 That this resolution is hereby declared to be an emergency the nature of the emergency being the need to provide adequate lawn care services for the Lorain City Health Department.
- 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 April 1, 2010.

PASSED: March 17, 2010

APPROVED: Mayor Krasienko (signed)
Anthony Krasienko – President

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

Mr. Fligner left the meeting.

INFORMATION:

Lorain County Child Fatality Review – Annual Summary & Reporting. Receive and file.

Vital Statistics Summary – 2000-09. Receive and file.

Help Me Grow – 2nd Quarter Audit Report. Receive and file.

2009 Influenza Prevention Clinics Report. Receive and file.

Notice of satisfactory completion of probationary period for Fleming Mosely, Director of Environmental Health – oath of employment. Mayor Krasienko administered the oath of employment to Fleming J. Mosely IV, Director of Environmental Health.

CONCERNS FROM PUBLIC: None

Ms. Santiago made a motion which was seconded by Mr. Killinger to adjourn the meeting. 3 Ayes, 0 Nays; Meeting adjourned at 6:22pm.

APPROVED: _____
Mr. Bob Cool – President Pro Tem

ATTEST: _____
Terrence J. Tomaszewski