

**The Lorain District Municipal Board of Health their Regular Meeting on Wednesday –
March 16, 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; Andrew Watkins; Michelle Crossan; Sue Love; Don Zaleski (Law Director); Fleming Mosely; George Schneider; Howard Goldberg; Daniel Carter; Brent English.

MINUTES: *Mr. Fligner made a motion seconded by Mr. Love to accept the regular meeting minutes as presented for the February 23, 2011 meeting. 5 Ayes, 0 Nays; motion carried.*

PUBLIC HEALTH NUISANCE REPORTS:

At the written request from Mr. Brent English; Public Hearing for 857-863 North Central and 2226 Washington Avenue were moved down toward the end of the agenda to accommodate Mr. English's late arrival.

1223 West 6th Street – Public Hearing: No representation present. David Williams, Registered Sanitarian, updated the Board regarding the conditions of the property. *Mr. Cool made a motion seconded by Mr. Fligner to refer to the Lorain Community Development Department to proceed with the abatement of nuisance by demolition. 5 Ayes, 0 Nays; motion carried.*

1223 ½ West 6th Street – Public Hearing: No representation present. David Williams, Registered Sanitarian, updated the Board regarding the conditions of the property. *Mr. Cool made a motion seconded by Mr. Fligner to refer to the Lorain Community Development Department to proceed with the abatement of nuisance by demolition. 5 Ayes, 0 Nays; motion carried.*

2813 Lexington Avenue – Public Hearing: No representation present. David Williams, Registered Sanitarian, updated the Board regarding the conditions of the property. *Mr. Cool made a motion seconded by Ms. Santiago to refer to the Lorain Community Development Department to proceed with the abatement of nuisance by demolition. 5 Ayes, 0 Nays; motion carried.*

CORRESPONDENCE:

Legal opinion from Patrick Riley, Law Director, regarding the exemption status of health department employees; after discussion, correspondence was order received and filed.

FINANCIAL REPORT:

Year to Date Financial Report – February 2011: *Mr. Fligner made a motion seconded by Mr. Killinger to accept the Financial Report as presented. 5 Ayes, 0 Nays; motion carried.*

Certification of February 2011 Board of Health expenditures: *Ms. Santiago made a motion seconded by Mr. Cool to certify February 2011 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:

January 2011 Activity Report: *Mr. Killinger made a motion seconded by Ms. Santiago to accept the activity report as presented. 5 Ayes, 0 Nays; motion carried.*

OLD BUSINESS:

Resolution No. 995 – 2011 Budget Appropriations; third reading: Mr. Tomaszewski informed the Board that the appropriation ordinance that was passed by Lorain City Council is not consistent with the final Board of Health proposal (Draft 3) that was submitted to the administration. Therefore resolution No. 995 does not reflect the current budget appropriations. Mayor Krasienko will submit necessary transfer of appropriation accounts to City Council and address the projected deficit. *Mr. Cool made a motion seconded by Ms. Santiago to hold Resolution No. 995 in abeyance to the next scheduled meeting. 5 Ayes, 0 Nays; motion carried.*

HIV Prevention Grant – Compliance Plan addressing special conditions presented by Kathy Loughrie, Director of Nursing: Mr. Killinger indicated mistake in compliance plan; he is not the President Pro Tem of the Board as listed in the plan. *Receive and file*

NEW BUSINESS:

2010 Annual Report: *Mr. Fligner made a motion seconded by Mr. Cool to accept the 2010 Annual Report and forward to Lorain City Council and the Ohio Department of Health. 5 Ayes, 0 Nays; motion carried.*

2010 Cost Report: Mr. Tomaszewski presented the 2010 cost report and review with the Board of Health. *Mr. Cool made a motion seconded by Ms. Santiago to accept the 2010 Cost Report as presented. 5 Ayes, 0 Nays; motion carried.*

Resolution No. 999 authorizing Memorandum of Understanding (MOU) with the Lorain County Solid Waste District. *Mr. Killinger made a motion seconded by Mr. Fligner to suspend the rules for passage of Resolution No. 999. 5 Ayes, 0 Nays; motion carried. Mr. Killinger made a motion seconded by Mr. Fligner to pass Resolution No. 999. 5 Ayes, 0 Nays; motion carried.*

RESOLUTION NO. 999

A RESOLUTION AUTHORIZING THE HEALTH COMMISSIONER OF THE DISTRICT MUNICIPAL BOARD OF HEALTH OF THE CITY OF LORAIN, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT; FOR SOLID WASTE ENFORCEMENT AND MONITORING SERVICES, AND DECLARING AN EMERGENCY.

WHEREAS, the Lorain County Solid Waste District has provided and will continue to provide funding to the Lorain City Health Department for Solid Waste Enforcement and Monitoring Services, and

WHEREAS, the Lorain City Health Department is willing to provide services identified in said MOU for the period of January 1, 2011 through December 31, 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 Memorandum of Understanding with the Lorain County Solid Waste District to provide Solid Waste Enforcement and Monitoring Services within the Lorain Municipal Health District.

SECTION 2. That the Lorain County Solid Waste Management District shall provide the Lorain City Health Department a total sum of \$60,000 for services identified in the MOU.

SECTION 3. That the Lorain City Health Department will be responsible for submitting a final report to the Lorain County Solid Waste District on later than January 31, 2012.

SECTION 4. 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 5. That this Resolution is hereby declared to be an emergency, the nature of which is the need to provide solid waste enforcement and monitoring services, all in order to preserve the health, welfare and safety of the citizens of the Lorain Municipal Health District.

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

PASSED: March 16, 2011

APPROVED: Tony Krasienko (signed)
Tony Krasienko, President

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

Annual Report for Local Health Departments – Lorain County Solid Waste: *Mr. Cool made a motion seconded by Ms. Santiago to accept the 2010 Annual Solid Waste Report as presented. 5 Ayes, 0 Nays; motion carried.*

Resolution No. 998 authorizing agreement for lawn care services – 2011: *Mr. Fligner made a motion seconded by Ms. Santiago to suspend the rules for passage of Resolution No. 998. 5 Ayes, 0 Nays; motion carried. Mr. Fligner made a motion seconded by Ms. Santiago to pass Resolution No. 998. 5 Ayes, 0 Nays; motion carried.*

RESOLUTION NO. 998

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.

NOW, THEREFORE, 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, 2011.

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, 2011.

PASSED: March 16, 2011

APPROVED: Tony Krasienko (signed)
Tony Krasienko, President

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

Food Service Operation survey report/summary conducted by the Ohio Department of Health: Mr. Tomaszewski informed the Board that Mr. Fleming Mosely, Director of Environmental Health, is required to submit a detailed "Action Plan" within forty-five (45) days of receipt. *Mr. Fligner made a motion seconded by Mr. Killinger to receive and file the survey report pending Mr. Mosely's Action Plan. 5 Ayes, 0 Nays; motion carried.*

INFORMATION:

Lorain County Child Fatality Review/Summary and Reporting: *Receive and File.*

Vital Statistics Summary - 2010: *Receive and File.*

Mr. Fligner left the meeting: 5:32 PM

PUBLIC HEALTH NUISANCE REPORTS: - *Continued*

Mr. Brent English arrived (5:35 PM) at the meeting and the Public Hearing for 857-863 North Central and 2226 Washington Avenue were continued.

857-863 North Central Drive – Public Hearing: David Williams, Registered Sanitarian, updated the Board regarding the conditions of the property. Attorney Brent English representing Mr. George Schneider provided pictures of the property. *Mr. Cool made a motion seconded by Mr. Killinger to grant Mr. Schneider a 30-day. 4 Ayes, 0 Nays; motion carried.*

2226 Washington Avenue – Public Hearing: David Williams, Registered Sanitarian, updated the Board regarding the conditions of the property. Attorney Brent English representing Mr. Andrew Watkins provided pictures of the property. *Mr. Cool made a motion seconded by Ms. Santiago to grant Mr. Watkins a 30-day. 4 Ayes, 0 Nays; motion carried.*

INFORMATION:

Personnel Committee: *Mayor Krasienko requested a meeting of the Personnel Committee for Friday, March 25, 2011; 1:30 PM at the Health Department.*

CONCERNS FROM PUBLIC: NONE

Ms. Santiago made a motion which was seconded by Mr. Killinger to adjourn the meeting. 4 Ayes, 0 Nays; motion carried. Meeting adjourned at 5:52 pm.

APPROVED: _____
Tony Krasienko – Mayor/President

ATTEST: _____
Terrence J. Tomaszewski, Secretary