

**The Lorain District Municipal Board of Health their Regular Meeting on Wednesday –
May 18, 2011 at 4:30p.m.**

PLEDGE OF ALLEGIANCE:

Board Organization: Election of President Pro Tem and establish date, time and location of Regular monthly Board of Health meetings. *Mr. Fligner made motion to nominate Mr. Robert G. Cool, Jr. as president pro tem which was seconded by Ms. Santiago. 5 Ayes, 0 Nays; motion carried. Mr. Love made a motion seconded by Mr. Killinger to hold the regular monthly meetings of the Board of Health on the third (3rd) Wednesday of each month at 4:30 PM in the Conference Room of the Lorain City Health Department. 5 Ayes, 0 Nays; motion carried.*

President Pro Tem, Mr. Cool recognizes Mayor Krasienko entering meeting and relinquishes the chair to President Krasienko.

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; Michelle Crossan; Sue Love; R.J. Budway (Law Office); Fleming Mosely; Rick Payerchin (Morning Journal); Kathy Loughrie; Councilman Richard Lucente, George Schneider, Brent English, Fred Abraham.

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

COMMITTEE REPORTS: Personnel Committee (1-April 15th). *Mr. Cool made a motion seconded by Ms. Santiago to accept the Personnel Committee report. 5 Ayes, 0 Nays; motion carried. Mr. Tomaszewski expressed concern regarding the need to convene the committee and complete the committee's charge in a timely manner. Mayor Krasienko indicated he would call for the committee to meet on June 10, 2011; he will follow up with notification to the committee members.*

PUBLIC HEALTH NUISANCE REPORTS:

857-63 North Central Drive (30-day extension): David Williams, Registered Sanitarian, updated the Board regarding the conditions of the property. Mr. George Schneider (owner) and Mr. Brett English, (legal counsel), were present. *Mr. Killinger made a motion seconded by Mr. Cool to remove this property from the Public Health Nuisance list.. 5 Ayes, 0 Nays; motion carried.*

Mr. Tomaszewski informed the Board that there were no pending NSP properties under consideration for the Board and asked Mayor Krasienko of the status of the NSP program and funds. Mayor Krasienko advised that he would verify the status of the program and the health department's involvement.

Mr. Tomaszewski added that with the decline in the NSP activity, Law Director, Patrick Riley, has requested that the Board decide on legal representation at its monthly meetings. *Mr. Cool made a motion seconded by Ms. Santiago to direct the board secretary to forward monthly meeting agendas to the Law Director for review and request legal representation as issues may arise. 5 Ayes, 0 Nays; motion carried.*

CORRESPONDENCE:

Letter from Fleming Mosely, Director of Environmental Health, regarding staffing; Environmental Division. After much discussion *Mr. Cool made a motion seconded by Mr. Killinger to authorize Mr. Tomaszewski to begin the process of filling the Sanitarian In Training/Registered Sanitarian position. 5 Ayes, 0 Nays; motion carried.*

Letter from the Ohio Department of Agriculture regarding Retail Food Establishment Program survey; June 6, 2011. Receive and file.

FINANCIAL REPORT:

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

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

Transfer request: Environmental account – \$56.00 - 2060.B120.9500.1101 Refunds. *Ms. Santiago made a motion seconded by Mr. Cool to authorize this transfer. 5 Ayes, 0 Nays; motion carried.*

ACTIVITY / COMMITTEE REPORTS:

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

OLD BUSINESS:

Lorain County Community Health Assessment – tabled from previous meeting. *Mr. Cool made a motion seconded by Mr. Fligner to authorize the participation and financial contribution (\$4,000) for the proposed Lorain County Community Health Assessment; and transfer the necessary funds within the health department budget to cover the cost of the assessment payable to the Lorain County General Health District. Roll Call 5 Ayes, 0 Nays; motion carried.*

Letter requesting owner/operator of Food Service Operation to appear before the Board regarding repeat/reoccurring violations and possible license suspension/revocation. Mr. Fleming Mosely, Director of Environmental Health, presented a multi-media presentation indicating the documented violations. Fred Abraham (owner/operator – 1900 Hampton Road, Rocky River, Ohio) acknowledged by the Board. Mr. Abraham stated that when he took over the Little Caesars store it was a mess and he's been trying to use the store's cash flow for repairs. He plans on and promises completing the list of items needing correction. Mr. Abraham is unable to complete the ceiling for three weeks. After much discussion, *Ms. Santiago made a motion, seconded by Mr. Cool to grant a 30-day extension to Mr. Abraham to correct the citations. 5 Ayes, 0 Nays; motion carried.*

NEW BUSINESS:

Letter from Fleming Mosely, Director of Environmental Health and Resolution No. 2011-01 from Fleming Mosely, Director of Environmental Health, authorizing MOU for Lead-Based Paint Hazard Control Grant. *Mr. Cool made a motion seconded by Mr. Fligner to suspend the rules for Resolution No. 2011-01. 5 Ayes, 0 Nays; motion carried. Mr. Cool made a motion seconded by Mr. Fligner to pass Resolution No. 2011-01. 5 Ayes, 0 Nays; motion carried.*

RESOLUTION NO. 2011-01

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) BETWEEN THE CITY OF LORAIN, CITY OF ELYRIA, LORAIN COUNTY HEALTH DISTRICT, AND THE ELYRIA CITY HEALTH DISTRICT TO FORM A CONSORTIUM AND TO SET FORTH THE UNDERSTANDINGS OF THE PARTIES IN RELATION TO THE LEAD-BASED PAINT HAZARD CONTROL GRANT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Lorain received a \$2.1 million Lead-Based Paint Hazard Control Grant from the Department of Housing and Urban Development (HUD as the lead entity of a consortium consisting of the City of Lorain, the City of Elyria, the Lorain County General Health District, the Lorain City Health District, and the Elyria City Health District; and

WHEREAS, hereinafter the City of Lorain will be referred to as the Lead Community; and the City of Lorain, the City of Elyria, the Lorain County General Health District, the Lorain City Health District and the Elyria City Health District will be referred to as the Consortium; and

WHEREAS, the Lorain City Health District will be responsible for community outreach, screening, referral, conduct residential lead assessments and clearances within the scope of the Lead-Based Paint Hazard Control Grant's "Workplan".

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 a Memorandum of Understanding that is substantially in the same form as that attached hereto and incorporated herein by reference and marked as "Exhibit A".

SECTION 2: That the Lorain City Health District as a member of the "Consortium" shall work together for the successful completion by providing services identified in "Workplan" as that attached hereto and incorporated herein by reference and marked as "Exhibit B".

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 measure necessary for the immediate preservation and furtherance of 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 May 1, 2011.

PASSED: May 18, 2011

APPROVED: Tony Krasienko (signed)
Tony Krasienko, President

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

Letter from Fleming Mosely, Director of Environmental Health and Resolution No. 2011-02, authorizing MOU with Erie County Commissioners for Lead Risk Assessment, Lead Inspections and Lead Clearances. *Mr. Cool made a motion seconded by Ms. Santiago to suspend the rules for Resolution No. 2011-02. 5 Ayes, 0 Nays; motion carried. Mr. Cool made a motion seconded by Ms. Santiago to pass Resolution No. 2011-01. 5 Ayes, 0 Nays; motion carried.*

RESOLUTION NO. 2011-02

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) BETWEEN THE ERIE COUNTY COMMISSIONERS AND THE LORAIN CITY HEALTH DISTRICT IN RELATION TO THE LEAD-BASED PAINT HAZARD CONTROL GRANT, AND DECLARING AN EMERGENCY.

WHEREAS, Erie County Commissioners have received a Lead-Based Paint Hazard Control Grant from the Department of Housing and Urban Development (HUD); and

WHEREAS, the Erie County Regional Planning Commission is the lead entity responsible for implementing the Erie County's HUD Lead Hazard Control Grant; and

WHEREAS, the Lorain City Health District through its professional staff is able and willing to provide lead risk assessment, lead inspections and lead clearances.

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 a Memorandum of Understanding that is substantially in the same form as that attached hereto and incorporated herein by reference and marked as "Exhibit A".

SECTION 2: That the Lorain City Health District shall work together with the Erie County Regional Planning Commission to provide lead risk assessments, lead inspections and lead clearances.

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 measure necessary for the immediate preservation and furtherance of the health, welfare and safety of the citizens of the Lorain Municipal Health District.

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PASSED: May 18, 2011

APPROVED: Tony Krasienko (signed)
Tony Krasienko, President

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

INFORMATION:

Public Health Emergency Preparedness (PHEP) 2010-11 grant; mid-year report. Receive and file.

Public Health Emergency Response (PHER) 2010-11 grant; mid-year report. Receive and file.

HIV Prevention Grant – quarterly report, period ending March 31, 2011. Receive and file.

Updated listing of Board of Health Members. Receive and file.

CONCERNS FROM PUBLIC:

Mr. Killinger requested with the present heavy rains, to get something on our website regarding mosquito control. Mr. Tomaszewski will follow up with Mr. Mosely to address this matter.

Ms. Santiago commented that she agrees with Commissioner Tomaszewski that the Personnel Committee should meet sooner than June 10, 2011. Mayor Krasienko said he will check to see if that is possible.

Councilman Lucente asked what the procedure is if someone calls the Smoke Free Hotline. Mr. Mosely addressed Councilmen Lucente’s concern. Councilman Lucente brought up a property on East 31st Street that Councilwoman At Large Ann Molnar indicated was to be demolished. Mayor Krasienko replied to this inquiry.

Mr. Fligner made a motion which was seconded by Mr. Love to adjourn the meeting. 5 Ayes, 0 Nays; motion carried. Meeting adjourned at 6:01 pm.

APPROVED: _____
Mayor Tony Krasienko – President

ATTEST: _____
Terrence J. Tomaszewski, Secretary