

THE MINUTES OF THE MEETING OF THE BOARD OF HEALTH, CITY OF OAKWOOD,
STATE OF OHIO

The meeting was conducted at 5:30 p.m. on Tuesday, January 24, 2017 in the conference room at the city building, 30 Park Avenue.

In attendance were:

Dr. David Denka, D.O., Member
Dr. Elizabeth Maimon, DVM, M.P.H., Member
Dr. Sallie Wilson, D.O., Member
Dr. Bill Coyne, D.D.S., Member
Mr. Norbert Klopsch, Administrator/City Manager
Mr. Paul Scaglione, R.S., Sanitarian

Excused absent were Mrs. Diane Scott, R.N., CHPN, Member; and Dr. Richard Garrison, M.D., Health Commissioner.

The meeting began at 5:30 p.m. and the following items were discussed.

Election of Chair and Vice Chair: Mr. Klopsch noted that the Oakwood City Charter requires that the Board elect its officers annually. Dr. Wilson moved that Dr. Denka be appointed Chair; second by Dr. Maimon. Upon viva voce vote, motion passed. Motion by Dr. Denka to appoint Dr. Wilson Vice Chair; second by Dr. Coyne. Upon viva voce vote, motion passed.

Minutes of Previous Meetings: Having previously received minutes of the meetings on May 24, 2016; September 27, 2016; and November 22, 2016, Dr. Denka moved that the minutes of these three meetings be approved as written; second by Dr. Wilson. Upon viva voce vote, motion passed and the minutes were approved.

Report from Chair: No report.

Report from Sanitarian: Mr. Scaglione reported on the following two items.

- 2016 Pool Program Re-survey: On December 16, 2016, the Ohio Department of Health issued a letter confirming that the Oakwood Public Swimming Pool Program completed a re-survey and now meets all of the required state standards. The Oakwood City Health Department is approved as a pool licensor.
- Brookdale Health Matter: Over the last few weeks approximately 30 people contracted the Norovirus at the Brookdale assisted living facility at 1701 Far Hills Avenue. Managers of the facility were instructed on steps to take to address the illness and there are no longer any known cases of the Norovirus at that facility. No further action is necessary.

Report from Health Commissioner: No Report.

Report from Board Administrator/City Manager: Mr. Klopsch reported on the following items.

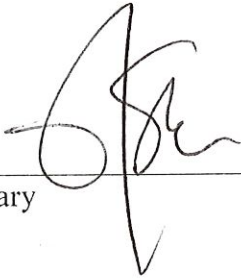
- 2017 City Budget: The city of Oakwood budget includes numerous funds to account for city spending. One fund is for the health department. 2016 revenues were approximately \$99,000 and consisted of property tax from the human services levy and various fees. The largest fee is for conducting the presale home inspections. The 2016 expenses were approximately \$88,000. The primary expenses involved personnel costs. 2017 budget figures are similar to 2016.
- Public Health – Dayton & Montgomery County Grant Request: On January 11, 2017, the city provided a letter of support for an Ohio Department of Health grant. This is an annual grant sought by Public Health – Dayton & Montgomery County to address bioterrorism, infectious disease outbreaks, public health threats and other county-wide public health emergencies.

Old Business: None.

New Business:

- Legislation: The Board of Health conducted a third reading on a Resolution to clarify the board's authority to suspend licenses. This is Resolution 16-1 and is attached hereto. It clarifies legal standards to be used by the health commissioner and sanitarian in regards to suspending or revoking licenses for cause. Motion to approve by Dr. Coyne; second by Dr. Denka. Upon viva voce vote, motion passed.
- Legislation: The Board of Health conducted a third reading on a Resolution to adopt a licensing fee for mobile vendors. This is Resolution 16-2 and is attached hereto. It establishes a licensing fee for mobile food vendors. Motion to approve by Dr. Coyne; second by Dr. Denka. Upon viva voce vote, motion passed.
- Suicide Prevention: Dr. Wilson reported that she recently attended a leadership conference for the American Foundation for Suicide Prevention. The 2016 "Out of the Darkness Walk" raised about \$50,000. The 2017 event will take place on Sunday, October 22. In addition to the walk, several other new programs are planned for 2017.

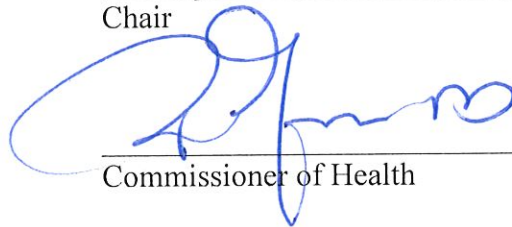
There being no other business, the meeting adjourned at 6:15 p.m.



Secretary



Chair



Commissioner of Health

**OAKWOOD BOARD OF HEALTH
RESOLUTION**

NO. 16-1

TO ESTABLISH REQUIREMENTS SO THE OAKWOOD, MONTGOMERY COUNTY,
OHIO, BOARD OF HEALTH HAS AUTHORITY AND DUTY TO
SUSPEND OR REVOKE LICENSES

WHEREAS, the Oakwood Board of Health recognizes its responsibilities as the licensor of Food Services Operations (FSO), Retail Food Establishments (RFE), and Public Swimming Pools, Spas, and Special Use Pools in Oakwood, Montgomery County, Ohio, and that under Ohio Revised Code (ORC) Chapters 3717 and 3749, the Oakwood Board of Health has the authority and duty to suspend or revoke licenses for these types of operations if they do not comply with Chapters 3717-1 OAC (Ohio Uniform Food Safety Code) and Chapter 3701-31 OAC (Ohio Swimming Pool, Spa, and Special Use Pool Rules); and,

WHEREAS, the Oakwood Board of Health contracts with the Public Health-Dayton & Montgomery County Combined Health District for the inspection of FSOs, RFEs, and Public Swimming Pools, Spas, and Special Use Pools; and

WHEREAS, the Oakwood Board of Health further recognizes that both emergency and recalcitrant situations arise in the day to day administration of Chapter 3717-1 and Chapter 3701-31 of the Ohio Administrative Code that may require immediate attention to protect the public's health;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO, BOARD OF HEALTH THAT:

Section I.

In accordance with ORC 3717.29(D)(1) (Retail Food Establishments) and 3717.49(C)(1) (Food Service Operations), the Board hereby authorizes the Oakwood Health Commissioner to suspend a license to operate a Retail Food Establishment or a Food Service Operation when it has been determined that the business is in violation of any requirement of ORC Chapter 3717 and/or any rule adopted thereunder, specifically including but not limited to Chapter 3717-1 OAC, and that the violation represents a clear and present danger (RFE) and/or immediate danger (FSO) to the public health; and

Section II.

In accordance with ORC 3717.29(C)(1) (RFE) and ORC 3717.49(B)(1) (FSO), the Board hereby authorizes and directs the Oakwood Health Commissioner and any registered sanitarian employed by or contracted by the Board to pursue actions against the recalcitrant operator of an RFE or FSO, in accordance with the procedures established in ORC 3717.29 and ORC 3717.49 and affording due process for appeals as established by OAC 901:3-4-08 (RFE) and OAC 3701-21-26 (FSO); and

Section III.

In accordance with ORC 3749.05, the Board hereby authorizes the Oakwood Health Commissioner and any registered sanitarian employed by or contracted by the Board to refuse to grant, temporarily suspend, or revoke a license to operate (close) a public swimming pool, spa,