

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

The meeting was conducted on Tuesday, January 22, 2019 in the conference room at the city building, 30 Park Avenue.

In attendance were:

Sallie Wilson, D.O., Vice Chair	Steve Enseleit, M.D., Health Commissioner
Diane Scott, R.N., CHPN, Member	Norbert Klopsch, Administrator/City Manager
Elizabeth Maimon, DVM, M.P.H., Member	Paul Scaglione, R.S., Sanitarian
Bill Coyne, D.D.S., Member	Rob Jacques, Law Director
	Chief Alan Hill, Public Safety Director

Excused absent was Dr. David Denka, Chair.

Dr. Wilson called the meeting to order at 5:35 p.m. The meeting began with Mr. Klopsch introducing Dr. Stephen Enseleit as the new Oakwood Health Commissioner. Dr. Enseleit succeeds Dr. Dick Garrison who retired on December 31, 2018. Dr. Garrison served as Medical Director for the city of Oakwood from 1983 until 2009, and as Oakwood Health Commissioner from 2007 through 2018. Mr. Klopsch noted that Dr. Enseleit is just the fifth Health Commissioner since Oakwood's Health Department was established in 1931. The previous Health Commissioners were as follows:

Dr. H.W. Lautenschlager: 1931 – 1953
 Dr. Kenneth Arn: 1954 – June 1992
 Dr. Mary Pryor: June 1992 – June 2007
 Dr. Richard Garrison: June 2007 – December 2018
 Dr. Stephen Enseleit: January 1, 2019

Mr. Klopsch mentioned that he introduced Dr. Enseleit to City Council and the Oakwood community at the January 7 City Council meeting. The Health Board members welcomed Dr. Enseleit.

The following agenda items were discussed:

Annual Organization Meeting: As this is the first meeting of the year, the Board must elect a chair and vice chair for 2019. Motion by Dr. Maimon to re-elect Dr. Denka to serve as chair and Dr. Wilson to serve as vice chair; second by Mrs. Scott. Upon viva voce vote, motion passed.

Minutes of Previous Meetings: The Board reviewed minutes of the December 4, 2018 meeting. There being no requested edits, motion to approve by Mrs. Scott; second by Dr. Wilson. Upon viva voce vote, motion passed and the minutes were approved.

Report from Chair: No report.

Report from Sanitarian: No report.

Report from Health Commissioner: Mr. Klopsch noted that seven members of staff met with Dr. Enseleit on December 12 for a detailed discussion on duties and responsibilities of the Health Department and the Health Commissioner. Also, attending that meeting was Mary Barnett, RN, MS, LSN, NCSN, District School Nurse for the Oakwood City Schools.

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

- Duties and Powers of the Board of Health: Mr. Klopsch mentioned that Law Director Rob Jacques recently prepared a memo detailing the duties and powers of the Board of Health. Given the change in Health Commissioners, it was deemed an appropriate time to review these duties and powers. Mr. Jacques provided an overview of the memo, focusing on various duties and powers that apply to the Oakwood Board of Health.

**OAKWOOD BOARD OF HEALTH
RESOLUTION**

NO. 18-1

TO AUTHORIZE THE COLLECTION OF A FEE FOR THE INSPECTION, REVIEW OF APPLICATION MATERIALS, AND APPROVAL OF TATTOOING AND BODY PIERCING OPERATIONS, SUCH FEE TO BE DETERMINED IN ACCORDANCE WITH THE APPLICABLE STATE-MANDATED COST METHODOLOGY

WHEREAS, pursuant to Ohio Revised Code Section 3730.03, the operation of any business that offers tattooing or body piercing services in the city of Oakwood, Ohio, requires annual approval from the Oakwood Board of Health; and

WHEREAS, annual approval, which includes the services specified in Ohio Revised Code Section 3730.03, requires the Board to review application materials, conduct inspections, and issue approval documents, among other things (collectively, "Section 3730.03 services"), but the Board has not previously established a fee for Section 3730.03 services because there were no such businesses operating within the city of Oakwood, Ohio; and

WHEREAS, pursuant to Ohio Administrative Code Section 3701-9-03, fees relating to businesses that offer tattooing and body piercing must be specified in accordance with four (4) categories, to wit: "Tattooing services;" "Body piercing services;" "Combined body art services;" and "Time-limited approval for a specific event;" and

WHEREAS, pursuant to Ohio Revised Code Section 3709.09(A), the Board is authorized to establish a uniform system of fees for such approval services; and

WHEREAS, the Board desires now to authorize the collection of a fee for Section 3730.03 services, and to apply the cost methodology mandated by Ohio Administrative Code Sections 3701-36-14 to calculate the amount thereof for each of the categories specified above;

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

Section I.

The foregoing recitals are hereby incorporated by this reference.

Section II.

From and after the effective date of this resolution, the Oakwood Board of Health shall charge and collect a fee for Section 3730.03 services relating to the operation of any business that offers tattooing or body piercing services. The fee shall be due and collected with the submission of an application for approval.

Section III.

The annual fee established in Section II is intended as a cost-recovery mechanism, and shall be non-refundable (*i.e.*, the obligation to pay shall not depend on whether the business is ultimately approved).

Section IV.

The state-mandated cost methodology for calculation of approval fees for businesses that offer tattooing or body piercing services shall hereafter be utilized to calculate the amount of the fee, with a separate calculation to be performed for each of the following categories:

1. Tattooing services;
2. Body piercing services;
3. Combined body art services; and
4. Time-limited approval for a specific event.

The fee calculations for calendar year 2019 are attached hereto as Exhibit A and incorporated by this reference, and shall remain in effect until further action by the Board.

Section V.

This resolution shall become effective on the earliest date allowed by law.

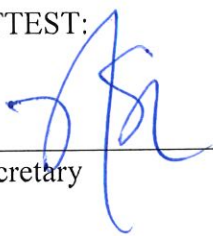
ADOPTED BY THE BOARD OF HEALTH OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO, this 22nd day of January, 2019.

For David Denka -

David Denka, D.O., Chair
Oakwood Board of Health

Jamie
W. D. O.
Vice Chair

ATTEST:



Secretary

**OAKWOOD BOARD OF HEALTH
RESOLUTION**

NO. 19-1

TO ESTABLISH A FEE FOR PRE-SALE HOUSING INSPECTIONS AND RENTAL
HOUSING INSPECTIONS AND TO ENGAGE THE CITY OF OAKWOOD
TO PERFORM THE SAME ON THE BOARD'S BEHALF

WHEREAS, pursuant to Section 3709.22 of the Ohio Revised Code, the Oakwood Board of Health is authorized to provide for the inspection and abatement of nuisances dangerous to public health or comfort; and

WHEREAS, pursuant to Section 3709.281 of the Ohio Revised Code, the Oakwood Board of Health is authorized to engage the city of Oakwood such that these inspections and enforcement services are performed by the city's Code Enforcement Officer on the Board's behalf; and

WHEREAS, pursuant to Section 3709.09 of the Ohio Revised Code, the Oakwood Board of Health is authorized to establish a fee to pay the cost of these inspection and enforcement services; and

WHEREAS, an informal arrangement has existed between the Board and the city of Oakwood for decades, whereby the city's Code Enforcement Officer performs these inspection and enforcement services through long-standing programs of pre-sale housing inspections and rental dwelling unit inspections established under the city's Property Maintenance Code, with the fees therefor being deposited to the credit of the city's Health Fund and used to defray the salary and benefits of the Code Enforcement Officer; and

WHEREAS, the Board deems it advisable to formally document this arrangement through the adoption of a resolution;

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

Section I.

The foregoing recitals are hereby incorporated by this reference.

Section II.

The Oakwood Board of Health hereby ratifies and affirms the fees collected by the city of Oakwood, and the use thereof to defray the salary and benefits of the Code Enforcement Officer, for all pre-sale housing inspections and rental dwelling unit inspections performed pursuant to the city's Property Maintenance Code prior to the effective date of this resolution.

Section III.

From and after the effective date of this resolution, the Oakwood Board of Health shall charge a fee of \$60 for each pre-sale housing inspection and each rental dwelling unit inspection performed pursuant to the city's Property Maintenance Code by the city's Code Enforcement Officer. Such fees shall be collected by the city of Oakwood on the Board's behalf, credited to the city's Health Fund, and utilized to defray the salary and benefits of the Code Enforcement Officer. Furthermore, such fee may be raised from time to time by the City Manager in the same

manner as other fees charged by the City, provided that the Oakwood Board of Health shall be notified of any increase and the fee shall not be increased beyond the level necessary to recover the salary and benefits of the Code Enforcement Officer.

Section IV.

This resolution, which was adopted by the Oakwood Board of Health utilizing the same procedures used for the adoption of ordinances by Oakwood City Council, shall become effective on the earliest date allowed by law.

ADOPTED BY THE BOARD OF HEALTH OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO, this 22nd day of January, 2019.

For David Denka

David Denka, D.O., Chair
Oakwood Board of Health

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ATTEST:

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Secretary

[THIS RESOLUTION TO BE PUBLISHED, IN SUMMARY FORM, ONCE A WEEK FOR TWO CONSECUTIVE WEEKS IN A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF OAKWOOD, OHIO. (Section 3709.09(E), Ohio Revised Code.)]


Old Business:

- December 18, 2018 Program on "Teen Substance Abuse": Mr. Klopsch reported that the December 18 presentation by Sheriff Phil Plummer and Chief Deputy Rob Streck was well done, but that the attendance was very light. There were only about 30 people in attendance, nearly half of which were city officials. Another such event may be scheduled in the future if there is a way to generate more public interest.

New Business:

- Resolution 18-1, Collection of Fee for Inspection, Review of Application, and Approval of Tattooing and Body Piercing Operations, Third Reading: The Board conducted a third and final reading of this Resolution. Motion to approve by Dr. Wilson; second by Dr. Maimon. Upon viva voce vote, motion passed and the Resolution was approved.
- Resolution 19-1, to Establish a Fee for Pre-sale Housing Inspections and Rental Housing Inspections, First Reading: Mr. Jacques explained that this Resolution establishes the \$60 fee for pre-sale and rental housing inspections. It makes no changes to current practices or the fee amount. It is required because the State will begin auditing local health districts apart from their respective cities, and this action will make it clear that the fee is a Board fee rather than a City fee. This first audit will take place in 2020 for the 2019 fiscal year. Mr. Jacques recommended that the Board waive a second reading and approve the Resolution this evening. Motion to waive second reading and approve by Dr. Maimon; second by Dr. Coyne. Upon viva voce vote, motion passed and the Resolution was approved.
- ACORN (Assisting and Contributing to Oakwood Resident Needs) Program: Mr. Klopsch introduced Chief Alan Hill and asked him to brief the Board on the new ACORN Program. Chief Hill provided a detailed overview of the program that is expected to begin on or about March 1, 2019. The purpose of the program is to assist the senior and at-risk population in Oakwood.
- Fire Inspections: Chief Hill briefed the Board on plans for the Safety Department to conduct annual fire inspections at each of the approximately 90 businesses in Oakwood. The purpose of these inspections is to assist business owners in ensuring that their properties are maintained in a safe and proper manner.
- January 25 School Presentation on "The Effects of Drugs and Alcohol on the Teenage Brain and Body": Mr. Klopsch mentioned that the Oakwood Schools will conduct a program on drug and alcohol abuse this Friday. It will be presented in two sessions with the 7-9 graders from 12:45 p.m. to 1:30 p.m., and the 10-12 graders from 1:35 p.m. to 2:23 p.m. The program will be delivered by Jan Scaglione, sister of Sanitarian Paul Scaglione. The program is being conducted as part of the school activities during National Drug Facts Week.
- Dog Leash Law: Mr. Klopsch reported that Oakwood City Council approved the dog leash law at their January 7 meeting. Moving forward, all dogs being walked on public properties in Oakwood will need to be securely tethered to a leash.

There being no other business, the meeting adjourned at 6:28 p.m.



Secretary



 Chair



 Commissioner of Health