

**LUCAS COUNTY REGIONAL HEALTH DISTRICT**  
**Board of Health Meeting**  
**Department of Operations Center (DOC) #254**  
**November 15, 2018– 8:30 A.M.**

**I. Call to Order and Roll Call**

Dr. Donna Woodson, President, called the meeting to order at 8:35 AM.

A roll call was taken of Board Members for attendance.

*Present:* Fritz Byers, Barbara Conover, Richard Fernandez, DPT, Perlean Griffin, Donald Murray, Susan Postal, Barbara Sarantou, Donna Woodson, MD. (Matt Heyrman arrived at 9:09 AM)

*Excused:* Ted Kaczorowski & Johnathon Ross, MD

*Absent:* Reynald Debroas

**II. Introduction of Guests**

Eric Zgodzinski introduced other guests: Blade reporter Lauren Lindstrom, AFSCME and ONA representatives: Terri Dalton and Cindy McLeod.

*Staff & Others:* Eric Zgodzinski, Tina Stokes, David Welch, Shannon Lands, Kelly Burkholder-Allen, Barry Gordon, David Grossman, MD, Brandon Palinski, Alice Dargartz, Legal Counsel: Evy Jarrett.

**III. Additions/Deletions to Agenda**

There were no changes to the Agenda.

**IV. Approval of the October 25, 2018 BOH Minutes**

**(Resolution 2018.11.137)** A motion was made by Perlean Griffin and seconded by Richard Fernandez, DPT to approve the minutes of the October 25, 2018 Board of Health meeting. Motion carried. 8 yeas, 0 nays.

**V. Executive Session**

**(Resolution 2018.11.138)** A motion was made by Donald Murray and seconded by Barbara Conover to enter into Executive Session for the purpose of discussion of union negotiations, compensation of public employees and potential legal action at 8:40 AM. Roll call vote was taken. Motion Carried, 8 Yeas, 0 Nays.

*(Matthew Heyrman arrived at 9:09AM)*

**(Resolution 2018.11.139)** A motion was made by Fritz Byers and seconded by Susan Postal to return from Executive Session at 9:11 AM. Roll Call vote was taken. Motion Carried, 9 Yeas, 0 Nays.

**VI. Approval of Payment for October 2018 Vouchers**

Donald Murray reported that the October, 2018 vouchers were reviewed at the Tuesday, November 13, 2018 meeting of the Audit/Finance Committee. There were three items that were "Then and Now" payments for vaccinations from Glaxo-Smith-Kline. This was in the normal course of business but did not occur prior to the Committee meeting and payment was due prior to the board meeting. There were no other items out of the ordinary that need attention.

Richard Fernandez, DPT asked for explanation of the payment to Bihn Construction of \$1,261.00 for a sidewalk at the Oregon Rec Center. Kelly Burkholder-Allen stated that this was part of the Creating Healthy Communities grant to add disability-inclusive recreation playground equipment at the Oregon Rec Center. This included enhancement to the entrance of the playground so wheelchairs and those with disabilities would have a more inclusive path to the equipment.

**(Resolution: 2018.11.140)** A motion was made by Matthew Heyrman and seconded by Richard Fernandez to approve the October, 2018 vouchers. Motion carried. 9 yeas, 0 nays.

**VII. Legal Update**

Discussed during the Executive Session.

**VIII. New Business**

Recreational Marijuana use in Michigan: Eric Zgodzinski discussed the issues of recreational marijuana use in the State of Michigan. With our close proximity to Michigan, and several employees living there, this could become an issue. Human Resources will be looking into the issue pertaining to our staff in regards to any screening that may be done. One issue is the health aspect. We may want to have staff do more research on it and get a review paper written.

Ethics Committee: Several individuals in the department who have taken interest in an Ethics Committee have been selected to be on the committee. Human Resources is the lead in this with Barry Gordon in charge and working with Brandon Palinski. The initial meeting was held yesterday. The committee will be looking at ethical dilemmas inside the department (medical issues, issues of individuals taking bribes, etc.). Brandon reported that for accreditation we need to provide a process by which we would resolve ethical issues within our current policy. This relates to issues, for example, if there is a vaccine shortage, how to we prioritize who gets what. This is aside from any disciplinary based ethical issue when someone does something they shouldn't have.

Dr. Woodson asked who, when an issue has gone through the process and remains unresolved, would the department consult for resolution. Brandon stated that this has not yet been defined but will be addressed as to when the Ethic Committee would go to outside legal, medical or other resources to help make the final decision. Barry Gordon stated that due process would be used with considerations for when a decision would involve collective bargaining agreements, or if the prosecutor's office needs to be involved. Dr. Woodson asked if there is a group for regional public health. Eric stated that this has been a dilemma for years. For example, if we had a terrorist attack of anthrax and needed to dispense antibiotics, who would be first to receive them? There is only a certain number of ventilators available so who would get the first ventilator? There is a standardized practice for public health relative to ethics on a national level. Eric will get that for the group. There is an ethics commission in Ohio which is another resource to use.

Brandon stated that with regards to PHAB, we did turn in the policy that we currently have in place. This deals more with when someone does something wrong according to the ethics law. PHAB wanted us to expand on this so it is not just the disciplinary based issues, it is the wider scope of public health and how resources are distributed when there is scarcity and those issues that come up over time. This will be the primary focus of this committee and looking at that side of ethical issues.

**IX. Prior Business**

Strategic Planning – Brandon Palinski reported that there is a one page handout in the packet which combines the Strategic Planning update with the Policy Update. There are no policies being brought forward today for review or new. The Strategic Planning Committee is working on revising the work plan and making sure all of the objectives and action steps are both feasible and are still our top priorities. In regards to feasibility, we may be amending items that we were capable of doing when we had the FQHC or other programs that may have shifted with funding and we no longer can strategically direct resources to those. We are assessing each action step to make sure it is still in the best interest of the public’s health and of our agency for the population. We anticipate an updated strategic plan by January, 2019.

Eric stated that the helpful aspects of the Strategic Plan is that we know where our shortcomings are and what needs to be fixed. We also know which parts have been completed. We will be taking a more critical look at the steps for strategic plan and where we want to go and how to achieve the goals.

Richard Fernandez, DPT, stated that the plan has been a living document. He questioned if it will continue to be a living document. Are we moving towards all of the goals we have established? Have we begun the self-assessment process or are we still waiting to put it to ink? Brandon stated that it is some of both. Some objectives have been achieved and are being taken out of the focus. We are realizing that other objectives were too big for us to accomplish at this time. There are others that are no longer feasible with the changes we have had over the past year and a half. The work plan will be updated as necessary. Eric stated that about 80% of the work steps have been touched, not to say they have been completed. Of the 20% not touched is that we cannot reach that step because another step needs to be done prior to that one. For the most part, he is pleased with the work that has been done.

Brandon stated that in regards to PHAB, the action plan has been submitted to PHAB. They will look at and will take it to the quarterly meeting if there is something that needs to be brought to the group. Otherwise it should be approved in December if there are no overarching problems. We took all of the advice of our specialist when she did the informal review and incorporated it into the plan. Once we receive approval we will have a year to implement the changes.

**X. Committee Reports**

**A. Audit/Finance Committee Report**

Donald Murray stated that the Audit/Finance Committee met on Tuesday, November 13, 2018. The packet provided includes all of the financial data that was reviewed by the Audit/Finance Committee. This information was sent to all Board Members via email prior to this meeting for review. The consolidated financial report through September was reviewed. At this point, 75% of this budget year has lapsed.

|                                |                                 |
|--------------------------------|---------------------------------|
| General Revenue:               | Collected 85% and expended 39%  |
| Special Revenue:               | Collected 70% and expended 67%  |
| Special Revenue Fund – Grants: | Collected 25% and expended 28%  |
| Special Revenue Fund – FQHC:   | Collected 107% and expended 73% |

Barb Sarantou asked how we could receive more than 100% on the Special Revenue Fund-FQHC. Tina Stokes stated this was due to use not budgeting what we would receive from the cost report from Medicaid into the budget which accounts for the additional amount of \$383,000.

#### Update - Grant Funded Programs

In addition to the grants listed on the spread sheet, a grant application has been received for the *Health in All Policies* (Childhood Lead Poisoning Prevention) Mini-grant from the National Center for Healthy Housing, CDC in that amount of \$20,000. This incorporates seven different areas of public health into policies. It is more of a teaching/education part. There are only three being granted nationwide. The Audit/Finance committee recommends applying for it now. This may be only a one time grant so applying now gives us the opportunity to apply for further funding later.

**(Resolution 2018.11.141)** A motion was made by Barbara Sarantou and seconded by Fritz Byers to submit the grant application. Motion carried. 9 yeas, 0 nays.

- 2018: Total applications of \$7,201,287 and awarded \$7,021,502.
- 2019: Total applications of \$15,183,392 and awarded \$6,399,635.
- Two notices of award totaling \$189,711.
- Pending grant applications: 4 pending and 1 needing board approval.

A transfer reallocates funds from one cost object to another. Board of Health Resolution is required to approve Transfers of Appropriations performed in the month of October 2018 in the ordinary course of business. Total transfer is \$83,226.59 consisting of changes in various expense categories.

**(Resolution 2018.11.142)** A motion was made by Fritz Byers and seconded by Susan Postal to approve the Transfers of Appropriations for the month of October, 2018 in the amount of \$83,226.59. Motion carried. 9 yeas, 0 nays.

Board of Health Resolution is required to approve changes in Revenue Estimates and Expense Appropriations for the month of October 2018 in the amount of \$2,318,225.13 for Revenue Estimates and for Appropriations.

**(Resolution 2018.11.143)** A motion was made by Barbara Conover and seconded by Fritz Byers to approve the changes in Revenue Estimates and Expense Appropriations for the month of October 2018 in the amount of \$2,318,225.13. Motion carried. 9 yeas, 0 nays.

#### **Other Items - FQHC Reporting**

Tina Stokes reported that on the FQHC report that there is a net profit for the month. That is due to the \$383,000 that was received from the Medicaid cost report. There was a beginning balance of \$308,000 beginning balance, this was money moved in to zero out the negative balances. This will be adjusted at month end when the money is moved back into the departments it was moved from.

**(Resolution 2018.11.144)** A motion was made by Richard Fernandez, DPT, and seconded by Fritz Byers to approve the Audit/Finance Committee Report in its entirety. Motion carried. 9 yeas, 0 nays

## **B. Personnel Committee Report**

Perlean Griffin stated the Personnel Committee met on Tuesday, November 13, 2018. The AFSCME wage reopener agreement was discussed in detail. She stated that the committee is pleased with the work that was done to reach an agreement on behalf of the AFSCME employees.

A motion is needed to approve the following items pursuant to Article 24 of the collective bargaining agreement between AFSCME and the Toledo-Lucas County Health Department. The following items are presented for approval:

- 1) General wage increase of 0.5% for AFSCME staff,
- 2) Lump fund payment of \$600.00 to be distributed as follows: \$400.00 on December 14, 2018 and \$200.00 on June 14, 2019,
- 3) 2 Personal Days to be used between February 1, 2019 and November 1, 2019, if Personal Days are not used within the time frame outlined, they will be forfeited and no cash out or carry forward will be allowed.

**(Resolution 2018.11.145)** A motion was made by Matt Heyrman and seconded by Fritz Byers to approve the wage reopener of the collective bargaining agreement between AFSCME and the Toledo-Lucas County Health Department as outlined above. A roll call vote was taken. Motion carried. 9 yeas, 0 nays.

The Personnel Committee requests a motion to approve a \$400.00 lump sum payment on December 14, 2018 to ONA staff, conditional upon ratification of the agreement. Eric stated that ONA members have not yet had their meeting to ratify the wage reopener agreement. Barry stated that the ONA members will meet on November 29, 2018 to vote on this agreement.

**(Resolution 2018.11.146)** A motion was made by Susan Postal and seconded by Barbara Sarantou to approve the lump sum payment of \$400.00 to the ONA staff conditional upon ratification of the agreement. A roll call vote was taken. Motion carried. 9 yeas, 0 nays.

The Personnel Committee requests a motion to approve a \$600.00 lump sum payment to the Non-Bargaining unit employees. Payments will be as follows: \$400.00 on December 14, 2018 and \$200.00 on June 14, 2019

**(Resolution 2018.11.147)** A motion was made by Fritz Byers and seconded by Barbara Sarantou to approve the lump sum payment of \$600.00 to be paid as follows: \$400.00 on December 14, 2018 and \$200.00 on June 14, 2019 for non-bargaining unit staff. A roll call vote was taken. Motion carried. 9 yeas and 0 nays

Perlean Griffin reported that there is one resignation for this reporting period. Raechel Walker, Clerk I in Vital Statistics. Ms. Walker did not want to have an exit interview.

The Personnel Committee is recommending the approval of a Training Position in the AFSCME unit. This person would be able to move into a position if one needed to be filled immediately and assist in that position. Eric stated that in the past we would have a staff member leave and it would take a couple months to bring in a new person followed by a few more months to get them trained and up to speed. We have asked AFSCME to approve an agreement to create a position that opens

and closes. The bumping process will still be in place when positions open. This position would only be used on an "as needed" basis. If there is a position that is vacant that would not require more in-depth training we may not need to use this position to backfill.

**(Resolution 2018.11.148)** A motion was made by Don Murray and seconded by Matt Heyrman to create a Training Position that Administration would open and close as needed as outlined above. Motion carried. 9 years, 0 nays.

Medical Director Coverage: in the agency's Disaster Plan it is stated that if we do not have medical director coverage during a disaster, the physician of the Board of Health would take over medical direction during a time of need. The Ohio Revised Code does not allow the agency's Medical Director to be a Board Member. An MOU has been developed for both of the physicians on the board, Donna Woodson, MD and Johnathon Ross, MD, to provide medical direction if at any time the Medical Director is out due to an unforeseen circumstance.

Human Resources Position: In regards to Barry Gordon, HR Director, Lucas County has asked us to cover his entire salary and benefits in the amount of approximately \$75,000. Eric has spoken with staff and union members at both local level and higher. They like Barry and trust him. He brings items to the table that we have never had before. Eric stated that we would like to bring him on as an employee starting in January. Over the past year there have been times when we have needed Barry and he was still required to perform duties for the county. Barry has stated that he would like to stay employed for at least the next two years. A tentative contract has been negotiated with a salary of \$82,014.40. The title would be Human Resources Administrator/Director.

**(Resolution 2018.11.149)** A motion was made by Barbara Conover and seconded by Susan Postal to approve the hiring of Barry Gordon as Human Resources Administrator/Director effective January 1, 2019.

**Discussion:**

Matt Heyrman stated that he would have to abstain from the vote. Matt asked if this meant that Barry would be pulled out of working for the County Commissioners. He asked if there is any downside to this as far as access and if we lose anything. Barry stated that we have already done some transition with him being at TLCHD. Matt stated the perceived benefit was that because of work being done there, Barry could see trends and access resources from Lucas County. Eric stated that Barry has been able to bring resources and knowledge over, including letters, etc. The staff at Lucas County also contacts him for information. Matt's question was if we, as the health department, lose anything by pulling him from the county. Eric and Barry both indicated no.

Vote on the motion: Roll call vote taken. Motion passed. 7 years, 0 nays, 2 Abstain

**(Resolution 2018.11.150)** A motion was made by Fritz Byers and seconded by Don Murray to accept the entire report of the Personnel Committee. Motion carried. 9 years, 0 nays.

**C. Environmental Health Committee Report – Donald Murray**

Donald Murray reported that the Environmental Health Committee met on November 7, 2018. The only issue was a citizen's complaint regarding a property at 11160 Temperance Road, Whitehouse, OH and the conditions at the property.

The complainant requested to speak to the Environmental Health Committee concerning a home that has been posted as "Unfit for Human Occupancy" by a TLCHD Sanitarian. The complainant was present at the meeting and allowed to speak.

Kevin Pituch, LC Prosecutor confirmed that the local prosecutor has the authority to pursue legal matters in their jurisdiction. The prosecutor in Maumee handles the cases that come from Whitehouse. The Maumee court has not been able to contact the property owner who also failed to appear at his last scheduled court date. The Whitehouse prosecutor asked that we send over the orders we have on the house and she will look at it. Since the case is already in court, the Waterville Prosecutor stated that she was not sure that our orders would need to be added.

**(Resolution 2018.11.151)** A motion was made by Perlean Griffin seconded by Barbara Sarantou to accept the Environmental Health Report as presented. Motion carried. 9 yeas, 0 nays.

**D. Facilities Report – Barb Conover**

Barb Conover stated that the Facility Committee did not meet. Barb stated that she appreciated the work that has been done with the survey from staff and citizens visiting the building.

**E. Legislative Committee – Eric Zgodzinski**

No report

*(Fritz Byers left meeting at 10:25)*

**F. Bylaws Committee – Donald Murray**

- 1) The recommended changes to the Bylaws Committee which were distributed at the October BOH meeting with the current and proposed committees were reviewed.
- 2) In the current Bylaws there is a 30 day notice required for any changes to be made to the Bylaws. It is recommended that this be changed to 28 days due to the fact that February only has 28 days and could cause a delay in any changes. After much discussion it was decided to table this until the next Board of Health meeting.
- 3) The proposed changes to the Bylaws Committee standing committees are as follows:
  1. Standing Committees:
    - a. Audit/Finance, Environmental Health Issues, Facility, Health Services, Legislative, Personnel, Strategic Planning/Accreditation
    - b. Bylaws Committee to be added
  2. Ad Hoc Committees:
    - a. Executive Compensation to be renamed Executive Assessment and Compensation
    - b. Pharmacy moved from Standing to Ad Hoc
    - c. Nominating Committee added.
    - d. Clinics/FQHC, Co-Application and Succession to be removed (Succession Policy is already approved)

**(Resolution 2018.11.152)** A motion was made by Matthew Heyrman and seconded by Richard

Fernandez, DPT, to approve the Bylaws changes as presented by the Bylaws Committee on October 25, 2018 and reviewed at the November 28, 2018 Board of Health Meetings. Roll call vote taken. 8 yeas, 0 nays

- 4) Proposed changes to the Bylaws Committees (suggested responsibilities): The Chairperson of the Bylaws Committee is appointed by the President of the Board of Health

The Bylaws Committee shall perform the following functions

- i. Review Bylaws on a yearly schedule
- ii. Make suggested changes to Bylaws as needed and present to the Board of Health for approval.

(Matt Heyrman left at 10:43 AM)

**(Resolution 2018.11.153)** A motion was made by Richard Fernandez, DPT, and seconded by Susan Postal to approve the proposed changes to the Bylaws Committee suggested responsibilities. Roll call vote. 7 yeas, 0 nays.

Don Murray stated that in Item 1) Audit/Finance Committee and 3) Environmental Health Issues Committee of the word “procedures” will be changed to “policies”

**(Resolution 2018.11.154)** A motion was made by Susan Postal and seconded by Barbara Conover to approve the change the word “procedures to policies” in Item #1 and #3 as outlined above. Roll call vote. 7 yeas, 0 nays

**(Resolution 2018.11.155)** Motion was made by Barbara Conover and seconded by Perlean Griffin to accept the Bylaws Committee report including the bylaws changes.

## **XI. Pending Business**

### **A. Division Reports**

#### **a. Administrative Services – Tina Stokes**

- i. Allscripts master agreement ends December 10, 2018. The billing department is checking all charges and posting of payments is current. There will be a phone call with Allscripts to see what happens to the data information when we switch over to Aprima,

#### **b. Health Promotion and Policy Integration – Shannon Lands**

- i. A questionnaire was distributed to the Board Members with 5 questions in preparation for the staff retreat scheduled for February. It is a “Get to Know the Board of Health”. The staff has put together a survey from the evaluation of the last retreat. This was a response from the survey to get to better know the BOH members.
- ii. Today is the Great American Smoke-Out. This was begun over 40 years ago by the American Cancer Society. Tobacco Prevention and Cessation staff will be in the lobby providing fun things for participants to partake in along with signing them up for cessation services. Promoting those to start and make a plan today.
- iii. Tobacco Prevention staff were at the University of Toledo Health Science Campus working with prevention coordinator promoting Tobacco 21 on the Health Science Campus. Over 80 people participated in this event. This is open to doctors, nurses, mid-



level students, etc. who were able to go through the room and learn more about T-21. There were over 75 letters of support for the T-21 initiative.

- iv. Safa Ibrahim attended the Ohio School Board Association Capital Conference. Safa represented TLCHD and the Tobacco Free Alliance. She put together a tool kit and provided education for school districts to go 100% tobacco free.
- c. Environmental Health – Dave Welch
- i. The Ohio Department of Health was here this week to audit the Lead Program. Everything went well. Vaughn Jackson and Dave Welch will be going to Columbus with other delegated lead authorities to discuss how the lead program is being run.
  - ii. Epidemiologists have attended “Enhanced Disinfection Requirements and Reporting on the New Completion forms: Facility Assessment for Legionella” which was provided by the Ohio Department of Health.
  - iii. Disaster Planner and Epidemiologists attended a regional meeting in Findlay.
- d. Health Services – Kelly Burkholder-Allen
- i. The immunization clinic has been very busy with Back-to-School vaccinations and flu shots.
  - ii. The Opioid Injury Prevention Coordinator worked with Councilman Tyrone Riley to develop a community forum. There were over 100 in attendance.
  - iii. Northwest Ohio Syringe Services (NOSS) – the program is going well. Sheriff Telb will be making a site visit today at the NOSS program site.
  - iv. Dr. Woodson thanked Kelly and her staff for helping out with the program for teaching Naloxone administration to all of the first year healthcare professional students at the University of Toledo on both main campus and the medical school and pharmacy. By tomorrow we will have taught 550 students

## **XII. Health Commissioner’s Comments – Eric Zgodzinski**

- A. Eric thanked the directors for pitching in for the Appreciation Breakfast yesterday. Cooking and funding for the breakfast was provided. It was nice to see most of the staff participate. There are plans for each of the upcoming months to do something for the staff.
- B. We are fortunate to have a robust Epidemiology program here. We will be short staffed in the next couple of months. Dave is tasked with getting some staff trained into a higher level of Epi. This will increase the already robust program. The training will be both internal and through ODH.
- C. Christmas Party will be December 13 at Poco Loco on Adams Street at 5:30PM.

## **XIII. Other Items and Public Health in the News – Dr. Woodson**

Richard Fernandez, DTP, reported that the LGBTQ Issues Conference will take place in April of next year. This is open to anyone in the community to give presentations. Topics within the LGBTQ Issues Conference may include sexuality, gender identity, HIV/AIDS and more. There are individuals within our agency who are both passionate and knowledgeable about these topics and may be able to connect with this conference to represent the department. He noted that there he would supply us with further information, including sponsorship.

Toledo Mindfulness Institute: there was a great deal of positive feedback, especially about the meditation/mindfulness program at the wellness retreat. Toledo Mindfulness Institute is a non-denominational agency. There is a program that starts in January, once a week for 6 weeks to teach the process. If we have someone within the department who might be interested in this it is available.

XIV. **Adjourn**

**(Resolution 2018.11.156)** A motion to adjourn was made by Donald Murray and seconded by Richard Fernandez, DTP to adjourn. Motion carried. 7 yeas, 0 nays Meeting ended at 10:41 AM.

Signed:



\_\_\_\_\_  
Dr. Donna A. Woodson, President  
Lucas County Regional Health District Board

12/20/18

\_\_\_\_\_  
Date

Attested By:



\_\_\_\_\_  
Eric J. Zgodzinski, MPH, RS, CPH  
Secretary to the Board

12/21/18

\_\_\_\_\_  
Date