



BOARD OF HEALTH MEETING

MEETING MINUTES

May 16, 2022

Board Members Present

Martha Mooney Shad Gallogly Holly Trainer, RPH Megan Rockas

MCHD Personnel and Guests Present

Stephanie Bragg Stephanie Zmuda Jill Thompson Michaela Byler Karrie Hursey
 Steve Pasheilich Jen Pasheilich Tim Hack Jessica Hack Charles Howland
 Cecilia Llamas Miguel Llamas Vanessa Gingrich Ken Stuff
 Thomas Smith (via Telephone)

1.0 CONVENTION

- 1.1. Martha Mooney, Board President, called the meeting to order at **6:02 p.m.**
- 1.2. A quorum of Board members **WAS** present (4 of 5)

2.0 STANDING AGENDA ITEMS

2.1. MOTION TO APPROVE: April 18, 2022 Minutes

The motion to accept the April 18, 2022 Minutes was made by **Holly Trainer** and seconded by **Megan Rockas**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		---	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

2.2. MOTION TO APPROVE: May 16, 2022 Agenda

2.2.1. Changes to agenda

- 5.5 – Preliminary 2023 Budget added
- 6.1 – Fowble Variance, move to beginning of agenda
- 6.2 – Hack Variance, move to beginning of agenda
- 6.3 – Smith Variance, move to beginning of agenda
- 6.5 – Kyleigh Bonnette Leave Without Pay added
- 6.7 – Health Educator Candidate Information added

The motion to accept the May 16, 2022 Agenda was made by **Shad Gallogly** and seconded by **Megan Rockas**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

3.0 BOARD OF HEALTH HEARING

3.1. BOH Hearing – La Cabanita Restaurant – 2nd Hearing. La Cabanita is located at 47 South Main St., Mt. Gilead, Ohio 43338. Managers Miguel and Cecilia Llamas are in attendance this evening. According to the MCHD Food Program Enforcement Policy, food facilities found to have repeated critical violations are entered into the Enhanced Enforcement Program. In this program, if critical violations persist, progressive Board of Health action regarding the facility’s license will take place. On February 14, 2022, a Board hearing was conducted for La Cabanita Restaurant, and the Board took action by requiring a one (1) day closure of the facility and a second administrative conference to develop an action plan for correction of the ongoing issues. Although the facility was closed for one day, and an administrative conference with action plan development was conducted, critical violations have persisted during follow up inspections.

This hearing began at **6:14 pm**. All witnesses were sworn in. Opening statements were made by MCHD and Cecilia Llamas. Testimony and evidence were presented from both parties for Board review. Both MCHD and Mrs. Llamas made their closing statements. Following discussion and deliberation by the Board of Health, a decision was reached as noted in Board Resolution# 2022-016-EH. Evidentiary documents presented, and a full audio recording of this hearing are available upon request.

3.1.1. RESOLUTION# 2022-016-EH: La Cabanita Board Action.

The resolution to Suspend the Operating License of La Cabanita Restaurant for a Period of Seven (7) Days, and Until Authorized Health District Staff has Conducted a Follow-Up Inspection with Documentation of Complete Correction of All Violations Detailed at this Board Hearing was made by **Martha Mooney** and seconded by **Holly Trainer**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

3.2. BOH Hearing – Highland Pizza and Ice Cream. Highland Pizza and Ice Cream is located at 6530 State Route 229, Sparta, Ohio 43350. The owner, Kenneth Stuff, is to be in attendance this evening. According to the MCHD Food Program Enforcement Policy, food facilities found to have repeated critical violations are entered into the Enhanced Enforcement Program. In this program, if critical violations persist, progressive Board of Health action regarding the facility’s license will take place. On January 10, 2022, a Board hearing was conducted for Highland Pizza and Ice Cream, and the Board took action by requiring a two and one-half (2.5) day closure of the facility. After this closure, an inspection was conducted, and it was determined that the facility was able to reopen for business. The facility was closed for 2.5 days, and had corrected the critical issues

upon reinspection; however, subsequent inspections have revealed that the critical violations are occurring again.

This hearing began at **7:35 pm**. All witnesses were sworn in. Mr. Stuff's legal counsel, Charles Howland, asked for a dismissal of the case citing that Mr. Stuff was not properly notified of the hearing and/or violations. It was found that hand-delivering notification does adhere to the Board of Health Policy for Food Enforcement, and is therefore a sufficient method of notification. Opening statements were made by MCHD and Mr. Howland. Testimony and evidence were provided by MCHD for Board review. Mr. Howland cross-examined MCHD. At **8:16 pm**, the Board of Health paused this hearing to enter Executive Session.

EXECUTIVE SESSION

Shad Gallogly made the motion to enter into Executive Session for the following reason: to consider the investigation of charges or complaints against a licensee or regulated individual. The motion to enter Executive Session was seconded by **Martha Mooney**. All Ayes, by roll call vote – Motion carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

Non-BOH members requested to attend Executive Session: **Stephanie Bragg, Stephanie Zmuda, Michela Byler, and Thomas Smith**. The Board of Health ENTERED Executive Session at **8:19 pm**.

The motion to return from Executive Session was made by **Shad Gallogly**, and seconded by **Martha Mooney**. All Ayes, by roll call vote – Motion Carried

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

The Board of Health RETURNED FROM Executive Session at **8:27 pm**.

After the members of the public returned to the meeting room, the Board Hearing for Highland Pizza and Ice Cream resumed. Evidence and testimony were presented by Mr. Howland for Board review. Both MCHD and Mr. Howland made their closing statements. Following discussion and deliberation by the Board of Health, a decision was reached as noted in Board Resolution# 2022-017-EH. Evidentiary documents presented, and a full audio recording of this hearing are available upon request.

3.2.1. RESOLUTION# 2022-017-EH: Highland Pizza and Ice Cream Board Action.

The resolution to Suspend the Operating License of Highland Pizza and Ice Cream for a Period of Seven (7) Days, and Until Authorized Health District Staff has Conducted a Follow-Up Inspection with Documentation of Complete Correction of All Violations Detailed at this Board Hearing was made by **Megan Rockas** and seconded by **Holly Trainer**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

4.0 PUBLIC PARTICIPATION

4.1. As of **May 12, 2022, No One** had requested to address the Board at this meeting.

5.0 FINANCIALS

5.1. MOTION TO: Adjust Appropriations in Fund 8548: OEPA Sewage Grant, and Fund 8577: Vaccine Needs Assessment. This will transfer the balance of \$1.00 from Fund 8548, and \$0.05 from Fund 8577, which will close both funds out.

The motion to Adjust Appropriations in Fund 8548: OEPA Sewage Grant, and Fund 8577: Vaccine Needs Assessment was made by **Shad Gallogly** and seconded by **Megan Rockas**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

5.2. MOTION TO: Increase Appropriations in Fund 8578: Vaccine Equity Supplement.

Appropriations need to be increased in the following line items:

- OPERS Employer Share - \$1,666.46
- Health District Reimbursement - \$46,426.84

The motion to Increase Appropriations in Fund 8578: Vaccine Equity Supplement was made by **Holly Trainer** and seconded by **Megan Rockas**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

5.3. MOTION TO: Increase Appropriations in Fund 8574: Coronavirus Response.

Appropriations need to be increased in the following line items:

- IT Professional Services - \$11,640.00
- Computers/Equipment/Furniture - \$23,713.75

- Transfer Out - \$1,413.15

The motion to Increase Appropriations in Fund 8574: Coronavirus Response was made by **Martha Mooney** and seconded by **Megan Rockas**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

5.4. MOTION TO: Increase Appropriations in Fund 8576: COVID-19 Contact Tracing.

Appropriations need to be increased in the following line item:

- Health District Reimbursement - \$4,112.69

The motion to Increase Appropriations in Fund 8576: COVID-19 Contact Tracing was made by **Holly Trainer** and seconded by **Shad Gallogly**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

5.5. MOTION TO ACCEPT: Preliminary 2023 Budget.

The motion to Accept the Preliminary 2023 Budget was made by **Holly Trainer** and seconded by **Megan Rockas**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

5.6. MOTION TO: Accept Monthly Financials as Presented.

The motion to Accept Monthly Financials was made by **Shad Gallogly** and seconded by **Megan Rockas**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

6.0 ACTION ITEMS

- 6.1. RESOLUTION# 2022-018-EH: Fowble Variance for Under Driveway Line.** Helen Fowble is requesting a variance from OAC 3701-29-06 (G)(3)(a) to allow her to pass

her septic line under her driveway. This property is located at 3099 US Highway 42, Cardington, Ohio 43315. Her septic designer has determined that this will allow for the best placement of her septic system.

The resolution to approve the Fowble Variance for Under Driveway Line was made by **Shad Gallogly** and seconded by **Holly Trainer**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

- 6.2. RESOLUTION# 2022-019-EH: Hack Variance for Under Driveway Line.** Jessica Hack is requesting a variance from OAC 3701-29-06 (G)(3)(a) to allow her to pass her septic line under her driveway. This property is located at 1478 County Road 219, Marengo, Ohio 43338. Her septic designer has determined that this will allow for the best placement of her septic system.

The resolution to approve the Hack Variance for Under Driveway Line was made by **Shad Gallogly** and seconded by **Megan Rockas**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

- 6.3. RESOLUTION# 2022-020-EH: Smith Variance for Under Driveway Line.** John and Tori Smith are requesting a variance from OAC 3701-29-06 (G)(3)(a) to allow them to pass their septic line under their driveway. This property is located at 3697 Township Road 115, Mount Gilead, Ohio 43338. Their septic designer has determined that this will allow for the best placement of their septic system.

The resolution to approve the Smith Variance for Under Driveway Line was made by **Holly Trainer** and seconded by **Shad Gallogly**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

- 6.4. MOTION TO APPROVE: Daniel Huddleston Leave of Absence.** Mr. Huddleston has requested a leave of absence to allow for recovery following a medical procedure. At this time, his healthcare provider estimates that he will be off work for a period of 4-6 weeks. Due to the length of time that he is required to be off work, he will exhaust his accrued leave to cover his absence. This motion will allow Mr. Huddleston to continue

to be on medically required leave without pay after his accrued leave banks are exhausted.

The motion to approve Daniel Huddleston's Leave of Absence was made by **Shad Gallogly** and seconded by **Holly Trainer**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

- 6.5. MOTION APPROVE: Kyleigh Bonnette Leave Without Pay.** Ms. Bonnette has requested leave without pay for family events on the following dates: June 15 and 16, 2022; June 22 and 23, 2022; and June 27 through June 30, 2022. As she is an intermittent employee, Ms. Bonnette does not currently earn leave time; therefore, she would like to request these dates off as unpaid.

The motion to approve Kyleigh Bonnette's Leave Without Pay was made by **Shad Gallogly** and seconded by **Martha Mooney**. 3 Ayes, 1 Abstention – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	A
David Zaghlool	---	Megan Rockas	Y

- 6.6. MOTION APPROVE: Hiring of Justine Lester as a Temporary Administrative Assistant.** This position was created under the Public Health Workforce Grant. We have conducted interviews for this position, and feel that Ms. Lester will be a good fit for the agency. She holds an Associate's Degree in Drafting Design, and meets the required skills and qualifications listed for this position. Ms. Lester will be paid \$16.00 per hour to start, and will begin her employment with MCHD on May 23, 2022.

The motion to approve Hiring of Justine Lester as a Temporary Administrative Assistant was made by **Shad Gallogly** and seconded by **Holly Trainer**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

- 6.7. MOTION APPROVE: Hiring of Megan Bailey as a Temporary Health Educator.** This position was created under the Public Health Workforce Grant. We have conducted interviews for this position, and feel that Ms. Bailey will be a good fit for the agency. She holds a Bachelor's Degree in Health Education and Behavior, and meets the required

skills and qualifications listed for this position. Ms. Bailey will be paid \$21.00 per hour to start, and will begin employment with MCHD on June 6, 2022.

The motion to approve Hiring Megan Bailey as a Temporary Health Educator was made by **Shad Gallogly** and seconded by **Megan Rockas**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

7.0 INFORMATION ITEMS AND COMMENTS – REFER TO ATTACHMENTS

7.1. Environmental Health Division

Stephanie Zmuda

7.1.1. STS Abandonment Report – see attached document

7.2. Nursing and Community Health Division

Stephanie Bragg

7.2.1. Communicable Disease Report – see attached document

7.2.2. Nursing Program Report – See attached document

7.3. Health Commissioner

Stephanie Bragg

7.3.1. Agency Updates/Information

- Opposition to HB 463 – This bill proposes to eliminate the DAC and give its authority to the County Commissioners instead.
- Strategic planning – working on revising vision, mission, and values statements. Conducting internal and external assessments in various areas to gather data for developing updated strategic priorities and plan of action
- CHA cycle to begin again this year. Researching options for completion, hope to have quotes in the next month.
- Work on ACAR continues

8.0 MEETING ADJOURNMENT

The next regular Board of Health meeting will be held **Monday, June 20, 2022, at 6:00 pm.** This meeting will be held in person in the Community Services Building. If in-person meetings are inadvisable, the meeting will be held virtually via Zoom.

The motion to adjourn this meeting was made by **Holly Trainer** and seconded by **Megan Rockas**. All Ayes – Motion Carried.

Voting Record			
Martha Mooney		Y	
Shad Gallogly	Y	Holly Trainer	Y
David Zaghlool	---	Megan Rockas	Y

This meeting was adjourned at 9:38 p.m.

*Martha Mooney, DVM
Board of Health President*

Date

*Stephanie Bragg, RN, BSN, MHA
Secretary to the Board*

Date

DRAFT