



LAWRENCE COUNTY HEALTH DEPARTMENT

2122 So. 8th Street
Ironton, OH 45638
740-532-3962



Public Health
Prevent. Promote. Protect.
Lawrence County Health Department

Georgia Dillon, APRN, CNP
Health Commissioner

Jim Meadows, MD
Medical Director

Lawrence County Board of Health September 13, 2022, Minutes

Call Meeting to Order: The meeting was called to order at 4:08 PM. Board Members present included: Randy Lambert (President), Mark Dickess, and Brenda Shipley.

Also present was Georgia Dillon (Health Commissioner), Zach Schweinsberg (Fiscal Officer), Angela Bostick-Doyle (Director of Nursing), Paul O'Banion (Director of Environmental Health), Jim Ridgeway, and Jim Ridgeway's Mother.

Approve Minutes: Randy Lambert asked for a motion to approve the minutes for the Board of Health meeting held on 08/17/2022. Mark Dickess made the motion to approve the minutes, Brenda Shipley seconded the motion. All were in favor, the motion passed.

Randy Lambert asked if there was anyone present from the public that wished to make a comment to the Board of Health. Jim Ridgeway addressed the Board of Health and explained that he had been corresponding with Zach Schweinsberg regarding a nuisance complaint from 2019. Jim described the nature of the complaint, explaining that some property near his own looked like a dumpsite. Randy Lambert asked Paul O'Banion if the site appeared to be public health hazard. Paul O'Banion and Jim Ridgeway raised the possibility of asbestos being present, as well as tires, and other types of household garbage. Randy suggested that Paul make a referral to the Ohio EPA and/or Lawrence Scioto Solid Waste Management District.

Jim Ridgeway and his Mother left the meeting at 4:15 PM.

Financial: Brenda Shipley made a motion to approve expenditures, pay bills & salaries, and accept the financial reports. Mark Dickess seconded the motion. All were in favor. The motion passed.

Randy Lambert asked for a motion to pay Georgia Dillon's professional liability insurance so that Georgia can continue to provide services for the Health Department. This is common practice for the Health Department and has been done in the past. Mark Dickess made the motion to pay Georgia's professional liability insurance. Brenda Shipley seconded the motion. All were in favor, the motion passed.

Environmental: The Board of Health reviewed the sanitation report. Mark Dickess made a motion to approve the sanitation report as presented. Brenda Shipley seconded the motion. All were in favor, the motion passed.

Next, Paul O'Banion provided an update regarding the monitoring of Lee Augarten's leach bed system (located at 228 Twp. Rd. 612, Ironton, OH, 45638. Paul noted that during a majority of the probationary period set by



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the Board of Health on 06/22/2022, the water had been shut off to this residence. Lee Augarten placed a lock on the water meter. Zach Schweinsberg stated that this is a cause for concern since it would not be possible to tell if the system is working if it is not being used. Randy Lambert suggested to Paul O'Banion that a notice be posted on the front door of the residence stating that there are problems with the septic system and to contact Lawrence County Health Department prior to use.

Next, Randy Lambert noted the resolutions passed on 07/11/2022 were not valid since a quorum was not present for the meeting. Ohio Senate Bill 51 allowed public officials who attended a public meeting virtually to count towards the quorum, but this was only permitted through 06/30/2022. Therefore, the following resolutions are acknowledged to be null and void: Resolution 071122a, Resolution 071122b, Resolution 071122c, Resolution 071122d. The language in the nullified resolutions is being presented again as Resolution 09132020A, Resolution 09132020B, Resolution 09132020C, and Resolution 09132020D.

Mark Dickess made a motion to waive the three-reading rule for Resolution 09132022A A RESOLUTION ESTABLISHING THE AUTHORITY OF THE HEALTH COMMISSIONER AND/OR OTHER ENVIRONMENTAL HEALTH STAFF TO TAKE ACTION TO IMPLEMENT CERTAIN PROVISIONS OF THE OHIO REVISED CODE CHAPTER 3717, RELATED TO THE LICENSE SUSPENSION/REVOCATION DUE TO VIOLATION OF ANY REQUIREMENT (NON-EMERGENCY), as permitted by Ohio Rev. Code 705.15. Brenda Shipley seconded the motion. All were in favor, the motion passed.

Mark Dickess made a motion to pass **Resolution 09132022A A RESOLUTION ESTABLISHING THE AUTHORITY OF THE HEALTH COMMISSIONER AND/OR OTHER ENVIRONMENTAL HEALTH STAFF TO TAKE ACTION TO IMPLEMENT CERTAIN PROVISIONS OF THE OHIO REVISED CODE CHAPTER 3717, RELATED TO THE LICENSE SUSPENSION/REVOCATION DUE TO VIOLATION OF ANY REQUIREMENT (NON-EMERGENCY),**. Brenda Shipley seconded the motion. All were in favor, the motion passed.

Mark Dickess made a motion to waive the three-reading rule for Resolution 09132022B A RESOLUTION ESTABLISHING THE AUTHORITY OF THE HEALTH COMMISSIONER TO TAKE ACTION TO IMPLEMENT CERTAIN PROVISIONS OF THE OHIO REVISED CODE CHAPTER 3717, RELATED TO THE IMMEDIATE LICENSE SUSPENSION FOR A VIOLATION PRESENTING A CLEAR AND PRESENT AND/OR IMMEDIATE DANGER TO PUBLIC HEALTH, as permitted by Ohio Rev. Code 705.15. Brenda Shipley seconded the motion. All were in favor, the motion passed.

Mark Dickess made a motion to pass **Resolution 09132022B A RESOLUTION ESTABLISHING THE AUTHORITY OF THE HEALTH COMMISSIONER TO TAKE ACTION TO IMPLEMENT CERTAIN PROVISIONS OF THE OHIO REVISED CODE CHAPTER 3717, RELATED TO THE IMMEDIATE LICENSE SUSPENSION FOR A VIOLATION**



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PRESENTING A CLEAR AND PRESENT AND/OR IMMEDIATE DANGER TO PUBLIC HEALTH. Brenda Shipley seconded the motion. All were in favor, the motion passed.

Mark Dickess made a motion to waive the three-reading rule for Resolution 09132022C A RESOLUTION ESTABLISHING THE AUTHORITY OF THE HEALTH COMMISSIONER AND/OR OTHER ENVIRONMENTAL HEALTH STAFF TO TAKE ACTION TO IMPLEMENT CERTAIN PROVISIONS OF THE OHIO REVISED CODE 3717, as permitted by Ohio Rev. Code 705.15. Brenda Shipley seconded the motion. All were in favor, the motion passed.

Mark Dickess made a motion to pass Resolution 09132022C **A RESOLUTION ESTABLISHING THE AUTHORITY OF THE HEALTH COMMISSIONER AND/OR OTHER ENVIRONMENTAL HEALTH STAFF TO TAKE ACTION TO IMPLEMENT CERTAIN PROVISIONS OF THE OHIO REVISED CODE 3717.** Brenda Shipley seconded the motion. All were in favor, the motion passed.

Mark Dickess made a motion to waive the three-reading rule for Resolution 09132022D A RESOLUTION ESTABLISHING THE AUTHORITY OF THE HEALTH COMMISSIONER AND/OR OTHER ENVIRONMENTAL HEALTH STAFF TO TAKE ACTION TO IMPLEMENT CERTAIN PROVISIONS OF THE OHIO REVISED CODE CHAPTER 3717, RELATED TO THE USE OF EMBARGOING OF ITEMS, as permitted by Ohio Rev. Code 705.15. Brenda Shipley seconded the motion. All were in favor, the motion passed.

Mark Dickess made a motion to pass Resolution 09132022D **A RESOLUTION ESTABLISHING THE AUTHORITY OF THE HEALTH COMMISSIONER AND/OR OTHER ENVIRONMENTAL HEALTH STAFF TO TAKE ACTION TO IMPLEMENT CERTAIN PROVISIONS OF THE OHIO REVISED CODE CHAPTER 3717, RELATED TO THE USE OF EMBARGOING OF ITEMS.** Brenda Shipley seconded the motion. All were in favor, the motion passed.

Mark Dickess made a motion to waive the three-reading rule for Resolution 09132022E A RESOLUTION TO APPROVE A SALE OF PROPERTY (SOP) INSPECTION FEE OF \$225.00, as permitted by Ohio Rev. code 705.15. Brenda Shipley seconded the motion. All were in favor, the motion passed.

Next, the Board of Health Discussed Resolution 09132022E A RESOLUTION TO APPROVE A SALE OF PROPERTY (SOP) INSPECTION FEE OF \$225.00. A similar resolution to this one was discussed at the prior board meeting, but the resolution was tabled to modify the language. Resolution 09132022E does not require that each property sold in Lawrence County obtain an SOP inspection, but when such an inspection is requested, the fee is set at \$225.00, as in years past.

Mark Dickess made a motion to pass Resolution 09132022E **A RESOLUTION TO APPROVE A SALE OF PROPERTY (SOP) INSPECTION FEE OF \$225.00.** Brenda Shipley seconded the motion. All were in favor, the motion passed.



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Randy Lambert decided to address agenda item 6 *Other Reports* before addressing agenda item 5 *Personnel*.

Other Reports: Georgia Dillon reported that the accreditation report had been submitted to the Public Health Accreditation Board, stating that Debbie Fisher and Mohammad Abdulrahman had worked hard on gathering all the required documentation. Angela Bostick-Doyle reported that Lawrence County is currently the second highest county in the state for positive Covid cases.

Mark Dickess made a motion to accept all reports presented in section 6 of the agenda and file as received. Brenda Shipley seconded the motion. All were in favor, the motion passed.

Personnel: Randy Lambert asked for a motion to enter executive session under Ohio Revised Code § 121.22(G)(1) to discuss the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official. Mark Dickess made the motion. Brenda Shipley seconded the motion. A vote was taken:

Mark Dickess: yea

Randy Lambert: yea

Brenda Shipley: yea

All were in favor. The motion passed. The Board entered executive session at 4:29 PM.

The Board of Health came out of executive session at 5:43 PM.

Randy Lambert noted that the Board of Health has a situation concerning whether or not to retain the Fiscal Officer. Randy also noted that the Fiscal Officer had been offered another position, and it is anticipated that Georgia Dillon will be retiring at the end of the year, and there are administrative issues to look at. In the Board's discussion during executive session, and the current funds available to the Health Department, the Fiscal Position is very important. Zach has improved the organization of the Health Department's finances. Randy Lambert asked for a motion to adjust Zach's salary to \$30.50 per hour with PERS pickup with the understanding that administrative duties will be added to the Fiscal Officer's position at a later time. The details of these additional duties will be discussed at a later time. Mark Dickess made the motion. Brenda Shipley seconded the motion. All were in favor. The motion passed.

Randy Lambert then addressed an issue with vacation accruals. Randy stated it was his understanding that the Health Department had previously passed a policy to put a cap on vacation accruals, and anyone above that cap as of that time would maintain the vacation time. After reviewing the policy manual, it was noted that this clause was missing from the current version of the policy manual. The Board of Health Directed the Fiscal



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Officer to fix the policy manual by putting that policy in there and to then pay out the vacation hours in accordance with the motion passed by the Board of Health during their meeting on 07/19/2022.

Adjournment: Randy Lambert asked for a motion to adjourn the meeting. Mark Dickess made a motion to adjourn. Brenda Shipley seconded the motion. All were in favor, the motion passed.

The next meeting is scheduled for 10/19/2022 at 4:00 PM in the Conference Room of Lawrence County Health Department.

Minutes Approved by:



Randall Lambert, BOH President

9-16-2022

Date



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September 13, 2022
Resolution No: 091322a

A resolution establishing the authority of the Health Commissioner and/or other environmental health staff to take action to implement certain provisions of the Ohio Revised Code Chapter 3717, related to the license suspension/ revocation due to violation of any requirement (non-emergency) is attached.

WHEREAS; ORC 3717.29 and 3717.49 of the Ohio Revised Code provides procedures to take to suspend or revoke a license, and;

WHEREAS; ORC 3717.29 and 3717.49 of the Ohio Revised Code stipulates the licensor may suspend or revoke a retail food establishment or food service operation license on determining that a licensee is in violation of any requirement of this chapter or the rules adopted under it, and;

WHEREAS; prior to initiating action to suspend or revoke a license, the licensor shall give the licensee written notice specifying each violation and a reasonable time within each violation must be corrected, and;

WHEREAS; Section 3717.29 and 3717.49 of the Ohio Revised Code stipulates that any action that may be taken by a licensor under these sections may be taken by the Health Commissioner, Director of Environmental Health or Registered Environmental Health Specialists and Environmental Health Specialists-In-Training working in the food program, is authorized by the licensor to take action;

BE IT RESOLVED by the Board of Health District of the Lawrence County, Ohio: Lawrence County Board of Health District authorizes the Health Commissioner, Director of Environmental Health or Registered Environmental Health Specialists and Environmental Health Specialists-In-Training working in the food program to initiate actions to protect the public's health in accordance with section 3717.29 and 3717.49 of the Ohio Revised Code.

Passed: 9/13/2022 after 1 reading. Vote: Yeas 3 Nays 0

Date Approved: 9/13/22

President of the Board of Health

Lawrence County Board of Health:
Randy Lambert, President • Curtis Anderson, Vice President
Brenda Shipley • Ryan Brislin, MD • Mark Dickess



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September 13, 2022
Resolution No: 091322b

A resolution establishing the authority of the Health Commissioner to take action to implement certain provisions of the Ohio Revised Code Chapter 3717, related to the immediate license suspension for a violation presenting a clear and present and/or immediate danger to public health.

WHEREAS, ORC 3717.29 and 3717.49 provides procedures to take, suspend or revoke a license, and;

WHEREAS, Section 3717.29 and 3717.49 of the Ohio Revised Code stipulates the licensor may immediately suspend a retail food establishment or food service operation license on determining that a licensee is in violation of any requirement of this chapter or the rules adopted under it and that the violation presents an immediate danger to the public health, and;

WHEREAS, the licensor may suspend the licensee's retail food establishment or food service operation license without giving written notice or affording the licensee the opportunity to correct the violation, and;

WHEREAS, Section 3717.29 and 3717.49 of the Ohio Revised Code stipulate that any action taken by a licensor under these sections may be taken by the Health Commissioner, if the Health Commissioner is authorized by the licensor to take action;

BE IT RESOLVED by the Board of the Health District of Lawrence County, Ohio:

The Board of Health authorizes the Health Commissioner to suspend a retail food establishment or food service license in accordance with section 3717.29 and 3717.49 of the Ohio Revised Code.

FURTHER; the Health Commissioner after suspending a license under this authority may, on determining that there is no longer an immediate danger to public health, lift the suspension without consulting the Board of Health.

Passed: 9/13/2022 after 1 reading. Vote: Yeas 3 Nays 0

Date Approved: 9/13/22



President of the Board of Health

Lawrence County Board of Health:
Randy Lambert, President • Curtis Anderson, Vice President
Brenda Shipley • Ryan Brislin, MD • Mark Dickess



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September 13, 2022
Resolution No: 091322c

A resolution establishing the authority of the Health Commissioner and/or other environmental health staff to take action to implement certain provisions of the Ohio Revised Code Chapter 3717, related to the use of embargoing of items, is attached.

WHEREAS, the Ohio Department of Health has established administrative rules concerning food safety for food service operations; and

WHEREAS, the rules adopted by the Ohio Department of Health include Administrative Code Section 3701-21-02.7, "Procedures for Providing Enforcement Support", and Administrative Code Section 3701-21-27, "Embargo of Food"; and

WHEREAS, Administrative Code Section 3701-21-27 authorizes licensor to embargo food from a food service operation in accordance with Section 901: 3-4-15 for expired, adulterated, or misbranded food under certain circumstances and by following certain procedures; and

WHEREAS, Administrative Code Section 901: 3-4-15 further authorizes licensor to authorize the Health Commissioner or other persons employed by the health department to take action on behalf of the licensor; and

WHEREAS, Administrative Code Section 3701-21-02.7 allows enforcement support from the Ohio Department of Health to address an immediate danger to public health, expert testimony, review and comment on enforcement documentation, and assistance in the prosecution of a person in violation of Revised Code 3717.

BE IT RESOLVED by the Board of the Health District of Lawrence County, Ohio:

The Lawrence County Health District Board of Health, as a licensor as that term is defined in the Administrative Code Section 3701-21-01 (K) hereby authorizes a Registered Environmental Health Specialist and either the Lawrence County Health Commissioner, Administrator, or Director of Environmental Health to take all actions authorized by Administrative Code Sections 3701-21-02.7 and 3701-21-27 on behalf of the Lawrence County Board of Health.

Passed: 09/13/2022 after 1 reading. Vote: Yeas 3 Nays 0

Date Approved: 9/13/22

Lawrence County Board of Health:
Randy Lambert, President • Curfis Anderson, Vice President
Brenda Shipley • Ryan Brislin, MD • Mark Dickess

Randy Lambert
President of the Board
of Health



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Health Commissioner

September 13, 2022
Resolution No: 091322d

Resolution establishing the authority of the Health Commissioner and/or other environmental health staff to take action to implement certain provisions of the Ohio Revised Code Chapter 3717, related to the use of embargoing of items.

WHEREAS; Rule 901:3-4-15 of the Ohio Administrative Code provides procedures to take action in a retail food establishment or food service operation to embargo infant formula or baby food that is expired, or any food that may be adulterated, or so misbranded as to be dangerous or fraudulent, and;

WHEREAS; Rules A through E specify definitions, requirements for determining the need to embargo items and specify directions for tagging food and disposing of such items, and;

WHEREAS; under OAC 901:3-4-15 (F), any action that may be taken by a licensor under paragraphs (A) to (E) of this rule may be taken by a Health Commissioner or other person employed by the licensor if the person or Health Commissioner is authorized by the licensor to take action.

BE IT RESOLVED by the Board of the Health District of the Lawrence County, Ohio:

The Board of Health authorizes the Health Commissioner, Director of Environmental Health or Registered Environmental Health Specialists and Environmental Health Specialists-In-Training working in the food program to take action under OAC 901:3-4-15 for retail food establishments and 3701-21-27 for food service operations.

Passed: 9/13/2022 after 1 reading. Vote: Yeas 3 Nays 0

Date Approved: 9/13/22

President of the Board of Health

Lawrence County Board of Health:
Randy Lambert, President • Curtis Anderson, Vice President
Brenda Shipley • Ryan Brislin, MD • Mark Dickess



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September 13th, 2022

Resolution 09132022E

A resolution to approve a sale of property (SOP) inspection fee of \$225.00

WHEREAS, Ohio Revised Code 3709.09(A) states that a board of health may establish fees to pay the costs for any services provided by the board of health, and;

WHEREAS, Ohio Administrative Code 3701-29-19(B) permits the monitoring and assessment of sewage treatment systems (STS) upon request for real estate inspections

Therefore, upon the motion of Board Member Mark Dickess and seconded by Board Member Brenda Shipley, the Board has voted to approve the sale of property (SOP) inspection fee of \$225.00, which by this resolution is required to be paid upon request for real estate inspections.

BE IT RESOLVED BY THE LAWRENCE COUNTY BOARD OF HEALTH:

This resolution was approved by majority vote of the Board on September 13th, 2022

Randy Lambert
President, Board of Health

Georgia Dillon
Health Commissioner

Date: 09/13/2022

Lawrence County Board of Health:
Randy Lambert, President ● Curtis Anderson, Vice President
Brenda Shipley ● Ryan Brislin, MD ● Mark Dickess