



Massillon City Health Department
 111 Tremont Ave. SW
 Massillon, Ohio 44647
 Phone: 330-830-1712

Board Meeting Minutes

Board of Health Meeting, January 15, 2019	Health Department Conference Room, 3:30pm
Start Time: 3:35pm	Stop Time: 4:05pm
Members Present:	Staff Present:
Mayor Kathy Catazaro-Perry	Terri Argent
Jeff Thornberry	Dr. Louis Schaner
Dr. Sonia Ullum	
Jim Johnson	
Pastor Reginald Hye	
Cathy Heitger	
Recorded by: Terri Argent, Health Commissioner	Opened by: Mayor Kathy Catazaro-Perry, President of the Board

Minutes

1. On a motion by Jim Johnson, and seconded by Dr. Sonia Ullum, approval was given to approve the December 2018 meeting minutes as mailed. Motion carried.
2. On a motion by Dr. Sonia Ullum, and seconded by Pastor Reginald Hye, approval was given to pay the December bills for the Health department in the amount of \$15,279.61 and for the WIC department in the amount of \$12,050.99 for a total amount of \$27,330.60. Motion carried.
3. The monthly Vital Statistics, Environmental, and Nursing Division reports were accepted and approved without comment.

Action Items - Old Business

1. Board of Health membership renewal
 Jeff Thornberry was sworn in for another term on the Massillon Board of Health
2. Update on Health Department lease agreement
 We don't have any news about moving yet, so we are going month-to-month with our lease. This will cost an extra \$300.00 per month.

Action Items - New Business

1. Approval of Resolutions 01-2019, 02-2019, 03-2019, 04-2019 Food Service Operation/Retail Food Establishment Resolutions and Change of Enforcement Wording

These resolutions are required by Ohio Revised Code. We have approved similar resolutions in the past and these are just updated due to code changes. We also need to change a few words in our enforcement procedures - add "business" and take out "revoke". This item was passed unanimously by rollcall vote.

2. WIC update during Federal Government shutdown

WIC is open as of the end of February but if Federal funds run out due to the government shutdown, we will meet with our Auditor and decide how to proceed. WIC may have to be closed.

3. Approval for a rental unit if necessary

We may be looking into a storage unit for furniture from Affinity Hospital. We will need it if we move, but we don't need it if we stay. Rohr's Storage is \$70.00 per month. On a motion by Cathy Heitger, and seconded by Dr. Sonia Ullum approval was granted for the monthly fee of \$70.00 for the storage unit. Motion carried.

4. Mayor's updates

Mayor Kathy Catazaro-Perry discussed the hospital situation and commended the Health department for their community charity work - the backpack program and school holiday food drive.

Approval

These minutes represent a true and accurate record of this meeting to the best of my knowledge.


Submitted by: Dr. Sonia Ullum

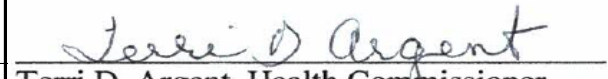
Date: January 15, 2019

Submitted by: Cathy Heitger

Date: January 15, 2019

Next Meeting Date: February 19, 2019


Mayor Kathy Catazaro-Perry
President of the Board


Terri D. Argent, Health Commissioner
Secretary of the Board

Massillon City Board of Health

Resolution 01-2019

A RESOLUTION GIVING THE HEALTH COMMISSIONER AND HIS/HER DELEGATED EMPLOYEES, AUTHORITY TO BEGIN INITIAL PROCEDURAL ACTIONS FOR THE LICENSE SUSPENSION OR REVOCATION OF A RETAIL FOOD ESTABLISHMENT OR FOOD SERVICE OPERATION LICENSE UNDER SECTION 3717.29 (B) AND SECTION 3717.49 (A), RESPECTIVELY OF THE OHIO REVISED CODE FOR VIOLATION OF ANY REQUIREMENT OF THOSE CHAPTERS OR THE RULES ADOPTED UNDER THEM APPLICABLE TO RETAIL FOOD ESTABLISHMENTS AND FOOD SERVICE OPERATIONS, INCLUDING A VIOLATION EVIDENCED BY DOCUMENTED FAILURE TO MAINTAIN SANITARY CONDITIONS WITHIN THE ESTABLISHMENT OR OPERATION.

WHEREAS, Section 3717.29 (B) of the Ohio Revised Code stipulates that a board of health may suspend or revoke a retail food establishment license on determining that the license holder is in violation of any requirement of this chapter or the rules adopted under it applicable to retail food establishments, including a violation evidenced by documented failure to maintain sanitary conditions within the establishment; and

WHEREAS, Section 3717.49 (A) of the Ohio Revised Code stipulates that a license may suspend or revoke a food service operation license on determining that the license holder is in violation of any requirement of this chapter or the rules adopted under it applicable to food service operations, including a violation evidenced by documented failure to maintain sanitary conditions within the operation;

WHEREAS, the licenser under Section 3717.01 (O) of the Revised Code means either the board of health of a city or general health district approved under Section 3717.11 of the Revised Code, or the authority having the duties of a board of health under Section 3709.05 of the Revised Code;

NOW, THEREFORE BE IT RESOLVED by the Massillon City Board of Health that after giving due thought and proper consideration have unanimously given the authority to the Health Commissioner and his/her delegated employees, to begin initial procedural actions, as specified in Ohio Revised Code (ORC) Sections 3717.29 and 3717.49 and Chapter 901:3-4-08 of the Ohio Administrative Code (OAC) for violation of any requirement of those chapters or the rules adopted under them applicable to retail food establishments and food service operations, including a violation evidenced by documented failure to maintain sanitary conditions within the establishment or operation.

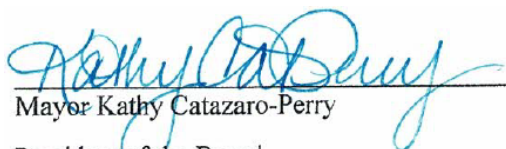
This resolution shall be in full force and effect from and after its adoption.

RESOLUTION APPROVED, by roll call vote of the board members as follows:

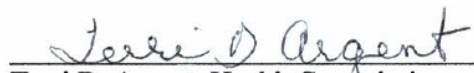
Jeffrey Thornberry	Yes
Jim Johnson	Yes
Pastor Reginald Hye	Yes
Cathy Heitger	Yes
Dr. Sonia Ullum	Yes

ADOPTED BY THE MASSILLON CITY BOARD OF HEALTH on this 15th day of January, 2019.

ATTEST: I hereby certify that the foregoing is a true and correct record of the Resolution of the Massillon City Board of Health.



 Mayor Kathy Catazaro-Perry
 President of the Board



 Terri D. Argent, Health Commissioner
 Secretary of the Board

Massillon City Board of Health

Resolution 02-2019

A RESOLUTION GIVING THE HEALTH COMMISSIONER AND/OR THOSE REGISTERED SANITARIANS WORKING IN THE FOOD SAFETY PROGRAM OFFICIAL AUTHORITY TO TAG ARTICLES TO REMOVE FROM USE UNDER SECTION 901:3-4-12 (A) OF THE OHIO ADMINISTRATIVE CODE.

WHEREAS, Section 901:3-4-12 (A) of the Ohio Administrative Code stipulates the licensor may tag any article such as a utensil, material, or piece of equipment and prohibit its use in a retail food establishment if it presents a public health hazard. For the purpose of this rule, a public health hazard is presented by any article whose use can reasonably be expected to result in the contamination or adulteration of a food product based upon its state of repair, cleanliness, location, or construction.

WHEREAS, the licensor under Section 901:3-4-01 (C) (1) of the Ohio Administrative Code means either the board of health of a city or general health district, or the authority having the duties of a board of health as authorized by Section 3709.05 of the Revised Code, approved under Section 3717.11 of the Revised Code;

WHEREAS, Section 901:3-4-12 (D) of the Ohio Administrative Code stipulates that any action that may be taken by a licensor under paragraphs (A) to (C) 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 take the action;

NOW, THEREFORE BE IT RESOLVED by the Massillon City Board of Health that after giving due thought and proper consideration have unanimously given the authority to the health commissioner and/or those registered sanitarians working in the Food Safety Program official authority to tag articles and prohibit their use under Section 901:3-4-12 (A) of the Ohio Administrative Code.

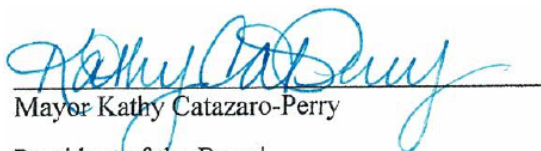
This resolution shall be in full force and effect from and after its adoption.

RESOLUTION APPROVED, by roll call vote of the board members as follows:


Jeff Thornberry	Yes
Jim Johnson	Yes
Pastor Reginald Hye	Yes
Cathy Heitger	Yes
Dr. Sonia Ullum	Yes

ADOPTED BY THE MASSILLON CITY BOARD OF HEALTH on this 15th day of January, 2019.

ATTEST: I hereby certify that the foregoing is a true and correct record of the Resolution of the Massillon City Board of Health.



Mayor Kathy Catazaro-Perry
President of the Board



Terri D. Argent, Health Commissioner
Secretary of the Board

Massillon City Board of Health

Resolution 03-2019

A RESOLUTION GIVING THE HEALTH COMMISSIONER OFFICIAL AUTHORITY TO SUSPEND A RETAIL FOOD ESTABLISHMENT OR FOOD SERVICE OPERATION LICENSE UNDER SECTION 3717.29 (D) (1) AND SECTION 3717.49 (C) (1), RESPECTIVELY OF THE REVISED CODE FOR VIOLATIONS PRESENTING A CLEAR AND PRESENT DANGER OR AN IMMEDIATE DANGER TO PUBLIC HEALTH.

WHEREAS, Section 3717.29 (D) (1) of the Revised Code stipulates that on determining that the license holder is in violation of any requirement of this chapter or the rules adopted under it applicable to retail food establishments, and that the violation presents a clear and present danger to the public health, the board may suspend the retail food establishment license without giving written notice or affording the license holder the opportunity to correct the violation; and

WHEREAS, Section 3717.49 (C) (1) of the Revised Code stipulates that on determining that the license holder is in violation of any requirement of this chapter or the rules adopted under it applicable to food service operations, and that the violation presents an immediate danger to the public health, the licensor may suspend the food service operation license without giving written notice or affording the license holder the opportunity to correct the violation. If the license holder is operating a mobile or catering food service operation, either the licensor that issued the license or the licensor for the health district in which the operation is being operated may suspend the license.

WHEREAS, the licensor under Section 3717.01 (O) of the Revised Code means either the board of health of a city or general health district approved under section 3717.11 of the Revised Code, or the authority having the duties of a board of health under Section 3709.05 of the Revised Code;

WHEREAS, Section 3717.29 (D) (1) the Revised Code stipulates that a health commissioner, if authorized by the board to take the action, may take any action that may be taken by the board under division (D) (1) of this section; and

WHEREAS, Section 3717.49 (C) (1) the Revised Code stipulates that any action that may be taken by a licensor under division (C) (1) of this section may be taken by a health commissioner if the health commissioner is authorized by the licensor to take the action;

NOW, THEREFORE BE IT RESOLVED by the Massillon City Board of Health that after giving due thought and proper consideration have unanimously given the authority to the health commissioner to suspend a retail food establishment or food service operation license for violations presenting a clear and present danger or an immediate danger to public health.

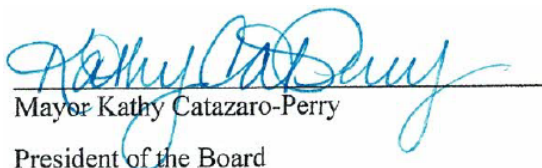
This resolution shall be in full force and effect from and after its adoption.

RESOLUTION APPROVED, by roll call vote of the board members as follows:

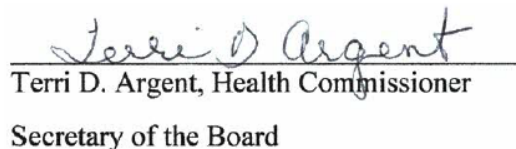
Jeffrey Thornberry	Yes
Jim Johnson	Yes
Pastor Reginald Hye	Yes
Cathy Heitger	Yes
Dr. Sonia Ullum	Yes

ADOPTED BY THE MASSILLON CITY BOARD OF HEALTH on this 15th day of January, 2019.

ATTEST: I hereby certify that the foregoing is a true and correct record of the Resolution of the Massillon City Board of Health.



Mayor Kathy Catazaro-Perry
President of the Board



Terri D. Argent, Health Commissioner
Secretary of the Board

Massillon City Board of Health

Resolution 04-2019

A RESOLUTION GIVING THE HEALTH COMMISSIONER AND/OR THOSE REGISTERED SANITARIANS WORKING IN THE FOOD SAFETY PROGRAM OFFICIAL AUTHORITY TO EMBARGO FOOD UNDER SECTION 901:3-4-15 (B) OF THE OHIO ADMINISTRATIVE CODE AND 3701-21-27 OF THE OHIO ADMINISTRATIVE CODE OR TO CONDEMN AND DESTROY FOOD UNDER SECTION 901:3-4-15 (E) OF THE OHIO ADMINISTRATIVE CODE.

WHEREAS, Section 901:3-4-15 (B) of the Ohio Administrative Code and 3701-21-27 of the Ohio Administrative Code stipulates whenever the licensor finds or has cause to believe within a retail food establishment or food service operation in their jurisdiction any food that is adulterated, or so misbranded as to be dangerous or fraudulent, within the meaning of Sections 3715.01 and 3715.52 to 3715.72 of the Revised Code, or an infant formula, or baby food that is expired, the licensor shall affix to the item a tag giving notice that the item is, or is suspected of being adulterated, misbranded or expired and has been embargoed; and

WHEREAS, Section 901:3-4-15 (E) of the Ohio Administrative Code and 3701-21-27 of the Ohio Administrative Code stipulates whenever the licensor finds in any retail food establishment or food service operation, any meat, seafood, poultry, vegetable, fruit, or other perishable foods that are unsound or contain any filthy, decomposed, or putrid substance, or that may be poisonous or deleterious to health or otherwise unsafe, the foods are declared to be a nuisance, and the licensor shall forthwith condemn or destroy the foods, or in any other manner render the items unsalable as human food;

WHEREAS, the licensor under Section 901:3-4-01 (C) (1) of the Ohio Administrative Code means either the Board of Health of a city or general health district, or the authority having the duties of a board of health as authorized by Section 3709.05 of the Revised Code, approved under Section 3717.11 of the Revised Code;

WHEREAS, Section 901:3-4-15 (F) of the Ohio Administrative Code and 3701-21-27 of the Ohio Administrative Code stipulates that 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 take the action;

NOW, THEREFORE BE IT RESOLVED by the Massillon City Board of Health that after giving due thought and proper consideration have unanimously given the authority to the health commissioner and/or those registered sanitarians working in the Food Safety Program official authority to embargo food under Section 901:3-4-15 (B) of the Ohio Administrative Code and 3701-21-27 of the Ohio Administrative Code or to condemn and destroy food under Section 901:3-4-15 (E) of the Ohio Administrative Code;


This resolution shall be in full force and effect from and after its adoption.

RESOLUTION APPROVED, by roll call vote of the board members as follows:

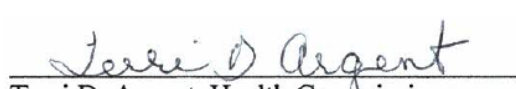
Jeffrey Thornberry	Yes
Jim Johnson	Yes
Pastor Reginald Hye	Yes
Cathy Heitger	Yes
Dr. Sonia Ullum	Yes

ADOPTED BY THE MASSILLON CITY BOARD OF HEALTH on this 15th day of January, 2019.

ATTEST: I hereby certify that the foregoing is a true and correct record of the Massillon City Board of Health.



Mayor Kathy Catazaro-Perry
President of the Board



Terri D. Argent, Health Commissioner
Secretary of the Board