



**BOARD OF HEALTH SPECIAL MEETING**

**August 24, 2020  
8:15 a.m.**

A special meeting of the Board of Health was held on Monday, August 24, 2020.

**Board Members Present:**

Terry Bell  
Chief Clark J. Crago  
Patrick Macedonia, M.D.  
Frank L. Petrola, M.D.  
Jean-Philippe Rigaud

**Staff:**

Nicole Balakos, Health Commissioner  
Kelly Wilson, Fiscal, Grants & PI Officer  
Jodi Norris, Director, Finance & Admin  
Tamika Jones, Accreditation Coordinator  
Marc Maragos, Environmental Director  
Carla Gampolo, Registered Sanitarian  
Jack McGuire, Registered Sanitarian  
Michael Ceraolo, Sanitarian in Training  
Hannah Piko, Director of Nursing  
Stephanie Chester, WIC Director  
Tina Piergallini, RN  
Jane Klug, Nursing Clerk/Admin. Asst.  
Mitchell Gulan, Intern

**Absent:**

N/A

**Prosecutor:**

Absent

**Guests:**

See sign in sheet

**CALL TO ORDER**

Mr. Bell called the meeting to order at 8:15 a.m.

**PUBLIC PARTICIPATION**

Mr. Bell stated that no public participation is scheduled for today's meeting.



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**NEW BUSINESS**

Mr. Bell began the meeting by stating that now that the county has gone back to yellow according to the Ohio Public Health Advisory System, he wanted to make a motion to recognize the Health Commissioner and the staff publicly for all of their hard work during Covid-19.

<i>Action</i>	<i>Motion to support and recognize the Health Commissioner and staff for all of their hard work</i>	<i>Vote Detail (Roll Call)</i>
Motion-2020-102	Mr. Bell moved and Dr. Petrola seconded a motion to publicly recognize the Health Commissioner and staff for all of their hard work during the Covid-19 pandemic.  Motion passed unanimously.	1 <sup>st</sup> - Bell 2 <sup>nd</sup> – Petrola Bell - Aye Crago – Aye Macedonia - Aye Petrola – Aye Rigaud - Aye

**Director’s Order for Sports**

The Health Commissioner reported that she just had a phone call this morning with the Governor’s office to receive some clarity on the Order that was issued on August 19, 2020.

There are a lot of items in the Order that have a lot of detail that is still being worked out. In particular, the Variance (page 11 of the Order). An e-mail will be coming out later in the day regarding how to process variances submitted by the local schools. The reason that a school may need a variance goes back to spectator capacity which is 15% or maximum of 1500. Any school needing a variance will have to follow a process by which they submit a plan to the local health department who then forwards on to the state department of health. The intent of the order was for each student to be able to have 2 people in the audience. If there is a divorced family, they would like to allow up to 4 people. When playing an away game, bands are not allowed to travel. Schools are starting to play as early as this week. Some may be submitting their variances this week. This does not just apply to football, there are other sports that may need variances such as volleyball or soccer. A yes must be provided by the local health department before it goes on to the state for approval. A lack of response is deemed a denial. Any decision by the director of the Ohio Department of Health is final and cannot be appealed.

We have already received two e-mails from schools and we let them know we needed to wait for information from ODH and at this time we are not able to provide a yes or no on any plan as directed by our Board.

Chief Crago stated he believes the OHSAA sets the rules on this. Is this not the case? The Health Commissioner stated that the Ohio Department of Health has to approve the variances. Chief Crago said he believes that the OHSAA sets the rules on this. The Health Commissioner



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pointed out that any variances have to go through the Ohio Department of Health, as per the Order. If the local health department has not signed off on it, they will not be accepted at the state level.

Dr. Macedonia said that he is really struggling with the wording. These football stadiums in the state are huge for high school. It's 1500 or 15% of fixed. He wanted to know why it wasn't 15% of the estimated capacity. Kelly Wilson pointed out on page 8 of the Order under #7 that it states "the maximum number of individuals gathered in any outdoor sports venue is the lesser of 1500 or 15 percent of fixed, seated capacity. For indoor facilities, the maximum number of individuals gathered in any indoor entertainment venue shall be the lesser of 300 spectators or 15 percent of fixed seating capacity." Dr. Macedonia said it is very confusing. The Health Commissioner stated that the variance requests are designed to be an office driven process not a board driven process. Dr. Macedonia said that it is what it is.

Mr. Bell then proceeded to go on to the next item, 'Other', on the Agenda when Dr. Macedonia then said the Board doesn't have anything to do with this. For sports, let's just follow the Director's Orders. However, the Health Commissioner stated that in previous meetings, specifically the emergency meeting held on June 23, 2020, the board passed a motion where we were not to say yes or no to any individuals. Thus, we could not approve any school plans that were submitted to us to be able to submit to the Ohio Department of Health. Dr. Macedonia stated that he has been thinking about the criticism the Board has been receiving about that very subject. Back in June, the Board talked about the Orders. If it was not an Order, we were not going to say yes or no. He said that this is different because it is an Order. The items talked about back in June were ideas and recommendations. The Health Commission then said that back then, even if it was an Order, you said that we were supposed to remain neutral. If anyone submitted anything to us we were supposed to provide them the five best practices allowing them to have the event. The Order still stated 10 people back then for mass gatherings. Dr. Macedonia said that he didn't want to go back but the intent of that was to be if there was an Order that we were going to follow it. The mass gathering of 10 people was so confusing and that's why Dr. Macedonia said he believes that's why they took the stance they did. Dr. Macedonia said there is no reason to change the motion. The Health Commissioner said that the Order in June stated that unless an Order had been issued to open something, it was closed. There was no Order for concerts, so concerts were still prohibited. Without the Order to open a particular item such as concerts, 5K's, etc. they were closed. For example, haunted houses are closed. Dr. Macedonia said that there is no Order stating haunted houses are closed. The Health Commissioner stated she received an e-mail from the state saying that yes, these are closed.

Mr. Bell then made a motion that we follow any directive that come from ODH and/or the Governor and that we follow them the way they are written. This will keep us out of trouble. The Health Commissioner said that is how we are directed to do it on all of the phone calls we've participated in. An entertainment Order is supposed to be released soon, but we do not know when. Mr. Bell said that with schools opening up, there will be more people out and about that



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haven't been for a while. In his opinion, he believes we should follow the Orders from ODH and the Governor.

Dr. Macedonia stated that it is not appropriate for Mr. Bell to make a motion as Chair. Mr. Bell responded that as per Robert's Rules of Order, in a small board of 12 or less, the Chair is permitted to make a motion. Mr. Bell had two documents that stated such for a small board. Dr. Macedonia said he wants to follow Robert's Rules of Order.

A lot of discussion ensued back and forth between all Board members about whether the Health Commissioner and staff had the authority to say yes or no to different requests for events, etc. Dr. Macedonia said that he thinks by approving Mr. Bell's motion that it will close this county down. The Health Commissioner explained that we have to follow the Orders. The same discussion went back and forth that had already been discussed in previous meetings about different types of events. The Health Commissioner reminded the Board that our first goal is to educate, not to close things down. If we get a report of an event, our goal is to work with the organizer to see if they can have the event and have it safely. In regard to bingo, the Health Commissioner stated that she is expecting a ruling on bingo in the next couple days because the question has been posed several times and other counties want to have bingo. Dr. Macedonia wanted to know why no one from the state came and shut it down here if we are not allowed to have it. The Health Commissioner explained that we could lose our state funding or ability to apply for state grants if we do not follow the rules. The Health Commissioner talked about another health department that had their food service program pulled and ended up closing them down because the Board was not following the rules. The bottom line is if there is a pattern of blatant disregard, there could be consequences. Dr. Macedonia does not want us interpreting what is entertainment but he has no problem with following the sports Order.

<i>Action</i>	<i>Motion to follow any Orders from the Ohio Department of Health and/or Governor's office as written.</i>	<i>Vote Detail (Roll Call)</i>
Motion-2020-103	Mr. Bell moved and Dr. Petrola seconded a motion to follow any Orders from the Ohio Department of Health and/or Governor's office as written.  Motion passed.	1 <sup>st</sup> - Bell 2 <sup>nd</sup> - Petrola Bell - Aye Crago - Abstain/Yes Macedonia - Nay Petrola - Aye Rigaud - Aye

After the roll call, Dr. Macedonia stated for the record that when the Health Commissioner says yes or no, the Board has no say so in the matter. Mr. Bell then said when the Health Commissioner says yes to an event she will say yes you can do this event under these guidelines. When she says no, she will provide the reason why based on the Orders.



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**Wells Haunted House**

The Health Commissioner reported that following the Board’s directive from the Regular meeting held on August 18, she sent a letter to the Wells Township Trustees letting them know that this type of event isn’t permitted under the current Order. In the letter, she let them know that they are welcome to submit a plan of any type outlining how they could do the event successfully to comply with the Order.

<i>Action</i>	<i>Motion to Adjourn</i>	<i>Vote Detail (Roll Call)</i>
Motion – 2020-104	Mr. Bell moved and Dr. Petrola seconded a motion to adjourn.  Motion passed unanimously.	1 <sup>st</sup> - Bell 2 <sup>nd</sup> – Petrola Bell - Aye Crago – Aye Macedonia - Aye Petrola – Aye Rigaud – Aye

There being no further business before the Board, the meeting was adjourned at 9:04 a.m.

The next meeting of the Board of Health is scheduled for Tuesday, September 15, 2020 at 8:15 a.m. in the Trumbull Towers Building, 2<sup>nd</sup> Floor.

**ATTESTED:**

*Terry Bell*  
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Mr. Terry Bell, Board President

*Nicole Balakos*  
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Nicole Balakos, Health Commissioner