



BOARD OF HEALTH SPECIAL MEETING

September 10, 2020
5 p.m.

A special meeting of the Board of Health was held on Thursday, September 10, 2020, in the Community Room, 2nd Floor of the Towers Building.

Board Members Present:

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

Staff:

Kelly Wilson, Fiscal, Grants & PI Officer
Marc Maragos, Environmental Director
Hannah Piko, Director of Nursing
Jack McGuire, Registered Sanitarian
Michelle Petrella, Contact Tracer
Kimberly Walters, WIC

Absent:

Prosecutor:

Jane Hanlin
Shawn Blake

Guests:

See sign in sheet

CALL TO ORDER

Mr. Bell called the meeting to order at 5 p.m.

NEW BUSINESS

Mr. Bell made a motion to enter into Executive Session to discuss Personnel matters with Attorneys Jane Hanlin and Shawn Blake from the Prosecutor's office.



<i>Action</i>	<i>Motion to enter into Executive Session to discuss Personnel matters with Attorneys Hanlin and Blake from the Prosecutor's office.</i>	<i>Vote Detail (Roll Call)</i>
Motion – 2020-107	Dr. Macedonia moved and Chief Crago seconded a motion to enter Executive Session to discuss Personnel matters with Attorneys Hanlin and Blake from the Prosecutor's office. Motion passed.	1 st - Macedonia 2 nd – Crago Bell - Aye Crago – Aye Macedonia - Aye Petrola – No Rigaud – Aye

<i>Action</i>	<i>Motion to come out of Executive Session and return to Regular Session</i>	<i>Vote Detail (Roll Call)</i>
Motion – 2020-108	Dr. Macedonia moved and Mr. Rigaud seconded a motion to come out of Executive Session and return to Regular Session. Motion passed unanimously.	1 st - Macedonia 2 nd – Rigaud Bell - Aye Crago – Aye Macedonia - Aye Petrola – Aye Rigaud – Aye

After returning to regular session, Chairman Bell read a statement: (verbatim from recording) “Based upon the Board’s review of Ohio Revised Code 2921.42, the employment of Nicole Balakos as Health Commissioner of Jefferson County is terminated effectively immediately. Nicole is permitted to return to her office on Friday, September 11, 2020 at 10 a.m. to remove her personal belongings.”

A gentleman (believed to be Robbie Martin or Royal Mayo, guests, Ms. Wilson cannot determine which one from the recording) asked why is that? Dr. Macedonia suggested to Chairman Bell that we follow the protocol for no public speaking. Mr. Martin or Mayo replied, “oh yes it is because you didn’t give the proper time for us to speak.” A gentleman in the audience stated that the Board didn’t give the proper time (72 hours) allowing them to get on the Agenda to speak. Several people in the audience all said at the same time, “who voted?” Audience members reminded the Board that they cannot vote in executive session. Mr. Bell stated that his statement was the motion and Dr. Macedonia stated that he seconded the motion. Mr. Bell stated he was making the motion based upon the review of ORC 2921.42. Several asked what the 2921.42 was. Someone else stated that you cannot vote in executive session. Mr. Bell reiterated that he was making the motion.

Attorney Hanlin interrupted those speaking and said there is a motion on the floor now that the Chairman has made. The protocol now is to ask if there is a second to that motion. Dr. Macedonia stated yes. Attorney Hanlin again reiterated that his statement was the motion.



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NICOLE BUSH BALAKOS, HEALTH COMMISSIONER

A guest in the audience stated that Mr. Bell came out of executive session and told the public that Mrs. Balakos was terminated and now Attorney Hanlin is telling us you need a vote. A guest in the audience insisted that the vote was taken in executive session because of the way Mr. Bell presented the statement stating Mrs. Balakos was terminated effective immediately and could come retrieve her personal belongings on September 11, 2020 at 10 a.m. Attorney Hanlin again stated that Mr. Bell clarified that was the motion on the floor. A guest in the audience said that he clarified it after the fact. Attorney Hanlin said there was no vote in executive session and that the Board is aware that they cannot vote in executive session. A guest in the audience said well obviously they did. Attorney Hanlin once again stated that there is a motion on the floor. Attorney Hanlin stated that a motion was made and there was a second and now they needed to vote on the motion. Mr. Bell called for Kelly Wilson to take roll call several times. Individuals continued to talk. Ms. Wilson was a bit emotional after learning of Mrs. Balakos' fate but finally took the roll call.

<i>Action</i>	<i>Motion to terminate the employment of Nicole Balakos as Health Commissioner effective immediately based on ORC 2921.42.</i>	<i>Vote Detail (Roll Call)</i>
Motion – 2020-109	Mr. Bell moved and Dr. Macedonia seconded a motion to terminate the employment of Nicole Balakos as Health Commissioner effective immediately based on ORC 2921.42. Motion passed.	1 st - Bell 2 nd – Macedonia Bell - Aye Crago – Aye Macedonia - Aye Petrola – No Rigaud – Aye

Through all of the disruption that continued, Chief Crago can be heard stating that he was making a motion to adjourn and Dr. Macedonia seconded the motion. Someone said all in favor and everyone said aye. Kelly Wilson did not read roll call as everyone was already getting up and exiting the meeting room.

<i>Action</i>	<i>Motion to Adjourn</i>	<i>Vote Detail (Roll Call)</i>
Motion – 2020-110	Chief Crago moved and Dr. Macedonia seconded a motion to adjourn. Motion passed unanimously.	1 st - Crago 2 nd – Macedonia Bell - Aye Crago – Aye Macedonia - Aye Petrola – Aye Rigaud – Aye

There being no further business before the Board, the meeting was adjourned at 6:28 p.m.



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NICOLE BUSH BALAKOS, HEALTH COMMISSIONER

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, 2nd Floor.

ATTESTED:

Terry Bell

Mr. Terry Bell, Board President

Kelly Wilson

Kelly Wilson, Fiscal, Grants & PI Officer