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**BOARD OF HEALTH
MINUTES OF REGULAR MEETING
December 15, 2020
8:15 a.m.**

The regular monthly meeting of the Board of Health was held on Tuesday, December 15, 2020 at 8:15 a.m. in the 2nd floor community room of the Towers Building located at 500 Market Street, Steubenville, Ohio.

Board Members Present:

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

Staff:

Kelly Wilson, Fiscal, Grants & PI Officer
Jodi Norris, Director of Fiscal and Admin.
Stephanie Chester, WIC Director
Marc Maragos, Director, Environmental
Hannah Piko, Director of Nursing
Carla Gampolo, Registered Sanitarian
Rick Stead, PHEP Coordinator
Linda Agresta, Environmental Clerk

Absent:

Prosecutor:

Guests:
See sign-in sheet

CALL TO ORDER

Mr. Bell called the meeting to order at 8:15 a.m. The Pledge of Allegiance was recited and roll call taken.

PUBLIC PARTICIPATION

Mr. Bell announced that there were two individuals on the agenda today for public participation. Mr. Tony Morelli was first up. Mr. Morelli said that on his way down to the meeting, he was thinking he wasn't going to say anything. He said that is not like him. He said he would say a couple of things. He had the opportunity to meet Andrew and he's glad he is here. The county commissioners want to work with the Board and Andrew. He wanted to commend the employees of the health department. He believes they have been put in a real bind not having a leader since September. Some Board members will say that the health of the public wasn't affected without a

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commissioner and he is not sure about that. He knows it affected the employees because he's talked to them. We're going to get a leader, he's here and that is good. There were some things he wanted to say that he's not going to bring up. He will wait until next year. He hopes the Board will give them some guidance. We have a vaccine coming and maybe they can explain when it is going to be distributed and when it will be available. He said he's been doing some research and he sees a lot of health departments that are giving free testing. He doesn't understand why we're not doing that. He's had constituents come up to him and ask him why we're not doing testing. He says they represent the county residents and so does he. He hopes that they will communicate more and let the public know what is going on. He wished the Board the best of luck and thanked the staff.

Mr. Royal Mayo was up next. He said he had a few questions. We know there is a vaccine coming and he doesn't know if the Board is going to be responsible for distributing it, but he wants to know how it's going to be distributed. He's lost five people that he's known all of his life, since Saturday, of Covid-19. We have no free testing. The poor community is disproportionately affected because unless you have a doctor's excuse, you can't get tested. Only the company that he has been working for has done free testing on a regular basis in our county. In West Virginia, anyone in the state of West Virginia can get free testing and they will even mail it to you. He says he doesn't know what we are doing here. He has no idea. It seems that the Board is micromanaging the staff on a case by case basis. He heard that there was a grant written for a van and that someone was going to match the funds for it to do mobile things around the county. He doesn't know if we ever got that. He can't seem to figure out what we're doing or what we're trying to accomplish. He doesn't know what we're doing about being the 3rd worst in the state. He said he called the department yesterday and told someone he has folks wanting to go door to door handing out information and masks. He doesn't know what we're doing to try and slow things down. At a meeting not too long ago, he asked who is going to enforce things, he said he offered to do it. He also remembers a grant that we had gotten for enforcement and the Board said that we do not want to do enforcement, we want to do education. Places with multiple complaints don't need education, they need to have action taken. He said it's the health department's responsibility to enforce the rules. He said he's not here venting, but he's asking questions. What are we doing for testing? Is there any money for testing? Do we have any place for residents to go if they don't have a personal physician? This county is getting sick because we are not doing anything. He is requesting now to speak at the next meeting. He then stated that we have had a whole lot of special meetings about personnel, but he doesn't recall any special meetings about Covid-19.



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APPROVAL OF MINUTES

<i>Action</i>	<i>Accept November 17, 2020 Minutes of Regular Meeting</i>	<i>Vote Detail (Roll Call)</i>
Motion-2020-184	Mr. Rigaud moved and Dr. Macedonia seconded a motion to accept the November 17, 2020 Minutes of the Regular Meeting. Motion passed unanimously.	1 st - Rigaud 2 nd - Macedonia Bell - Aye Crago - Aye Macedonia - Aye Rigaud - Aye

<i>Action</i>	<i>Accept November 19, 2020 Minutes of Special Meeting</i>	<i>Vote Detail (Roll Call)</i>
Motion-2020-185	Chief Crago moved and Mr. Rigaud seconded a motion to accept the November 19, 2020 Minutes of the Special Meeting. Motion passed unanimously.	1 st - Crago 2 nd - Rigaud Bell - Aye Crago - Aye Macedonia - Aye Rigaud - Aye

<i>Action</i>	<i>Accept November 24, 2020 Minutes of Special Meeting</i>	<i>Vote Detail (Roll Call)</i>
Motion-2020-186	Dr. Macedonia moved and Chief Crago seconded a motion to accept the November 24, 2020 Minutes of the Special Meeting. Motion passed unanimously.	1 st - Macedonia 2 nd - Crago Bell - Aye Crago - Aye Macedonia - Aye Rigaud - Aye

November 2020 Expenses

<i>Action</i>	<i>Approval of November's Expenses</i>	<i>Vote Detail (Roll Call)</i>
Motion - 2020-187	Dr. Macedonia moved and Mr. Rigaud seconded a motion to accept November 2020 expenses. Motion passed unanimously.	1 st - Macedonia 2 nd - Rigaud Bell - Aye Crago - Aye Macedonia - Aye Rigaud - Aye



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November 2020 Financial Statements (Revenue)

<i>Action</i>	<i>Approval of November's Financial Statements (Revenue)</i>	<i>Vote Detail (Roll Call)</i>
Motion – 2020-188	Dr. Macedonia moved and Chief Crago seconded a motion to accept November 2020 revenue report. Motion passed unanimously.	1 st - Macedonia 2 nd - Crago Bell - Aye Crago – Aye Macedonia - Aye Rigaud - Aye

Medical Director's Report

Dr. Kissinger began by providing a vaccine update. Two vaccines are close to approval. The Pfizer vaccine has been approved and the Moderna vaccine is up for approval this Thursday. What we currently have in the state is Pfizer. The state of Ohio has distributed it out to 18 hospitals, essentially the largest hospitals in the state, along with CVS and Walgreens to distribute to nursing homes and long-term care facilities. Tentatively, they are going to start on the 22nd at some long term care facilities locally. The vaccine will be sent to the pharmacies and they will go out to the facilities one by one. Dr. Kissinger is uncertain at this time how many folks will be covered under the first round. They will vaccinate willingly at these facilities. Residents and employees cannot be vaccinated against their will. However, long term care facilities can set up their own rules. Here in Jefferson County, we anticipate possibly receiving 400 doses of the Moderna vaccine. This all depends on approval by the FDA this Thursday. This would be enough to cover 200 people. Both of the vaccines require ultra cold freezing, which we don't have available at the health department. However, Trinity has purchased freezers to take care of this. The Moderna vaccine is to be given 28 days apart. The state has come up with a list of the highest priority folks to be given the vaccine. One question mark that remains is whether Trinity will be getting their own vaccine supply. They believe they will. Jenn Davis is managing the Trinity distribution. They do not have any information yet on how much they will receive.

The state has laid out a plan that must be followed for vaccine distribution. Phase 1A includes healthcare workers and personnel taking care of Covid-19 patients, residents/staff of nursing homes, residents and staff at assisted living facilities, patients and staff at state psychiatric hospitals, those with intellectual disabilities/mental illness, residents and staff of Veteran's homes, and EMS responders.

Phase 1B includes people who are high risk due to health conditions. We still haven't received the definition from the state of who is to be considered high risk. Also included will be essential workers at risk of exposure to include fire, police, EMS, teachers and school staff, people with

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underlying conditions. Phase 2 covers other healthcare workers, those over 65, those living and working in homeless shelters, those in prison, along with prison workers.

Dr. Kissinger said that Mr. Mayo had raised some good concerns and he thinks he can answer some of his concerns, but not all of them. Anyone living in the county right now who has symptoms, but not a physician, can visit Trinity East for testing. They have a Covid evaluation center where you can go in and be evaluated. One of the things they are looking at is our positivity rate. We have a very high rate because we are testing only those with symptoms. A lot of places around the country are testing everybody. This increases the denominator and lowers the positivity rate when doing a lot of testing. One problem with testing is the limited resources. Some hospitals have had to resort to going to ebay to find reagents because their medical suppliers are out. To do the tests, we have to have the chemicals in order to run them. There is a shortage on them right now. As far as U.S. stats go, there is a big difference between how we clarify Covid deaths in the U.S. versus the rest of the world. Here in the U.S., if you get Covid and die of Covid pneumonia, and you die of that, we list Covid in the chain of events on the death certificate. In other countries, if you die of Covid pneumonia, they just write you die of pneumonia. As far as the numbers in the county, they seem to be flat. Hospitalizations are down in the last few days, but nothing significant. A lot of people assume the elderly and those with preexisting conditions are the only ones getting Covid and being hospitalized; however, he personally knows of four or five people in their 30's and 40's who have been hospitalized with pretty severe illness and no preexisting conditions.

Dr. Macedonia asked Dr. Kissinger to please comment on the sensitivity of the PCR test versus the antigen test. The rapid antigen test produces false positives at times. It also misses the viral load in order to trigger the antigen test. Early on you won't pick up an antigen. It will take a higher load before it picks it up. The PCR picks up the viral load when it is much lower. Even the PCR is not perfect. As much as 30% of the time, it will produce a false negative. Essentially if you have 10 people in a room that have Covid and they are tested, only seven of them will test positive. The rapid test provides folks with a false sense of security. Just because I test negative today doesn't mean I won't test positive tomorrow. This is the problem with testing asymptomatic people.

Nursing Report

Nurse Piko delivered the Nursing Report to the Board. A copy of the report is attached hereto and made part of the official minutes.

WIC Report

Stephanie Chester presented the WIC report for the month of November. She passed out the report to the Board members since it was not included in the packet mailed last Friday. It's not all inclusive because she has been out ill for a couple weeks. Breastfeeding numbers are up slightly. She is in the process of evaluating having the staff work remotely, but it is important to



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have someone in the office at all times. They prepared Christmas bags for the children. They've encouraged families to use WIC foods to make healthy snacks.

Environmental

Marc Maragos presented the Environmental report. Several reports are attached to these minutes and are being made part of the official minutes. The environmental division is all hands on deck with Covid. They are going out to businesses when they get complaints. They are educating the business owners and employees on the mask requirements. The department recently developed a staggered schedule and have begun working it to limit the amount of time everyone is in the office together. They are also going out on weekends to do visits as well. Some businesses are refusing to be open to allowing the health department to educate them. He reviewed the Apex reports with the Board.

Mr. Maragos reported that he has been receiving a lot of calls from the public about the Crossridge court case. The case had been scheduled for December 16; however, the case was postponed again. He has no idea when it will be going to court. Depositions are ongoing. For clarification, the health department is not a part of the lawsuit (named), we are only involved as witnesses. This case is the state against the landfill.

In regard to complaints that have been coming in to the Board in regard to a business in Smithfield, Mr. Maragos said that he visited the location on November 18 and spoke to the bar/restaurant manager. Pictures had been submitted showing no mask wearing and displaying a mass gathering. He spoke to her and gave her the guidance for both restaurants and bars. The manager told Mr. Maragos that she is considering having drive-thru operations. She admitted she had been lax with the mask wearing and the number of people who have been coming in. More complaints came in this month so he did want the Board to know he had already been out there.

Dr. Macedonia suggested we ask the business to submit a corrective action plan within seven days. He then asked if the place Mr. Maragos was referring to was the same place that the Board received pictures of. Mr. Maragos responded yes. Dr. Macedonia then said how could that be a drive-thru? Mr. Maragos said they could still cook and allow drive-thru service and cease all mass gatherings. Dr. Macedonia said they could submit in writing to us within seven days a corrective action plan outlining how they planned to handle things.

<i>Action</i>	<i>Motion to send a letter to Le Chateau in Smithfield asking them to submit corrective action plan within seven days</i>	<i>Vote Detail (Roll Call)</i>
Motion – 2020-189	Dr. Macedonia moved and Mr. Rigaud seconded a motion to send a letter to Le Chateau asking for a corrective action plan to be submitted within seven	1 st - Macedonia 2 nd - Rigaud Bell - Aye Crago – Aye



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	days as to how they will modify their bar/dining services to be compliant with Governor’s orders.	Macedonia - Aye Rigaud - Aye
	Motion passed unanimously.	

Accreditation

Kelly Wilson reported that due to all the work with Covid-19, nothing has been done with accreditation. She is still fulfilling the duties under the role of Fiscal, Grants and PIO officer.

PHEP

A copy of the report is attached hereto and made part of the official minutes.

Correspondence

Mr. Bell reported that we received complaints from a resident about Le Chateau in Smithfield, Ohio. It is being reported they are not wearing masks nor social distancing. A letter from the State Personnel Review Board was also received regarding Nicole Balakos and withdrawal of her case regarding the instant removal case. However, she has asked that a hearing be scheduled in her whistleblower case and Mr. Bell read the letter aloud. All correspondence is a part of the official minutes.

Old Business

2021 Food Service Fees – 2nd reading

Mr. Bell read the fees aloud for the second time. They were also read at the November 2020 meeting.

Action	Approval of second reading for food service fees – 2nd reading	Vote Detail (Roll Call)
Motion – 2020-190	Chief Crago moved and Mr. Rigaud seconded a motion to approve the second reading of the food service fees. Motion passed unanimously.	1 st - Crago 2 nd - Rigaud Bell - Aye Crago – Aye Macedonia - Aye Rigaud - Aye

New Business

Landfill Licensing



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Carla Gampolo reviewed the licenses for the landfills that were being renewed. There are three landfills that the health department licenses in Jefferson County. Two of them are residual—Hollow rock (First Energy) and the Cardinal landfill, as well as Apex. All three of them have been in substantial compliance. Mrs. Gampolo requested the Board make a motion to issue the licenses for the 2021 year. The licenses will be printed out and Mr. Bell will need to sign them.

<i>Action</i>	<i>Motion to approve and issue 2021 landfill licenses</i>	<i>Vote Detail (Roll Call)</i>
Motion-2020-191	Chief Crago moved and Mr. Rigaud seconded a motion to approve and issue 2021 landfill licenses. Motion passed unanimously.	1 st - Crago 2 nd – Rigaud Bell - Aye Crago – Aye Macedonia - Aye Rigaud - Aye

Nuisance Complaint – Springfield Township

Mr. Maragos reviewed the nuisance complaint for illegal dumping occurring in Springfield Township. The property belongs to Donald & Hazel Lanham. Pictures had been provided in the board packet. Mr. Maragos visited the location on November 25th and conducted an investigation. The residents reside on a portion of Springfield Township Road 275 that was abandoned by the township. However, a portion of the road is being used to gain access to the house is being used as a driveway and they are using it as a junkyard that is full of vehicles and trash. We are dealing with open dumping on a township road and private property. All of the land resides in Jefferson County. Mr. Maragos is working with Sergeant Ellenberger who claims that the township road has not been abandoned and it is considered open dumping on township road 275. The residents have until January 4th to contact Mr. Maragos regarding some septic issues, which is also a problem. The weeds have grown so high that he cannot even see where the septic system is. Mr. Maragos told them that they had to brush haul the area so he can see if it is a functioning septic system. Mr. Maragos believes the pictures speak for themselves. One of the trucks that was sitting on Springfield Township 275 had two people living in the vehicle (as per complaint). Mr. Maragos spoke to them and they denied it. Mr. Maragos went through all of the vehicles that were there and he did not see anything. Mr. Maragos then looked back and saw two elderly people exiting a truck. The complaint had been that whenever they had to use the restroom that they would exit the truck and go to the bathroom. They were not going in to the trailer. Mr. Maragos said that the trailer has issues. This was one of the worst that he has seen. We are getting more and more of these in Jefferson County.

The owners have until January 4th to come in to compliance. Mr. Maragos is asking permission to bring them before the Board in January. Dr. Macedonia then pointed out a typo in the letter that referred to January 4, 2020 versus January 4, 2021. Mr. Maragos was asked to correct it and send them a certified letter showing the correct date. Dr. Macedonia then asked if Marc goes out



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to the location on January 4th and they have not corrected anything, why do they need to come before the Board. Mr. Maragos thought this is the procedure the Board wanted to follow. Mr. Maragos said if the Board wanted it to go straight to the Prosecutor’s office, it can be done that way. Dr. Macedonia said that he wants to be consistent on how we are dealing with these complaints. If Mr. Maragos visits the location on January 4th and they have not complied, Attorney Blake will be notified and he will be asked to attend the January Board meeting.

Mr. Bell commented that there are laws specific to townships and junk vehicles. The townships have several laws in the ORC that gives them the authority to extract those junk vehicles, hold them for 30 days, and then scrap. This could possibly help some of the situation since there are multiples vehicles there.

Dr. Macedonia stated once again that he’s worried about how the letter is written. It reads if it isn’t cleaned up by January 4th that legal action would be taken. He is concerned about how the letter reads. We’ve already said it will result in legal action and now Mr. Maragos is telling the owner that they will have to appear before the Board. The letter is not clear. Mr. Maragos says he understands what Dr. Macedonia is saying. He said that the previous assistant prosecutor attended the Board meetings and this is the way the health department was advised to write the letter so they know we mean business. Dr. Macedonia is fine with the intent, but he’s concerned what we are saying. Having the property owners appear before the Board won’t do anything. We’ve already told them we are taking legal action. We need to be clear in what we are saying.

Mr. Rigaud asked how we can correct this? Jodi Norris said it should probably say potential legal action. Then, if they then appeared before the Board, we could then determine that legal action needed to be taken. Mr. Maragos will send a revised letter by certified mail making the suggested changes.

Funding Request – Cares Act

Jodi Norris requested that the Board make a motion to authorize her to send a letter to the county commissioners asking for them to cover salaries of health department employees who were affected by Covid-19.

<i>Action</i>	<i>Motion to authorize Jodi Norris to send letter to County Commissioners asking them to cover salaries for employees affected by Covid-19 through Cares Act</i>	<i>Vote Detail (Roll Call)</i>
Motion-2020-192	Dr. Macedonia moved and Mr. Rigaud seconded a motion to authorize Jodi Norris to prepare a letter and send to the county commissioners asking them to cover salaries for employees who were affected by Covid-19 though Cares Act.	1 st - Macedonia 2 nd – Rigaud Bell - Aye Crago – Aye Macedonia - Aye



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	Motion passed unanimously.	Rigaud - Aye
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Jefferson County Covid-19 Defense Team

Dr. Macedonia reported that the Defense Team met last Thursday. There were thirteen people on the call. Two things came out of the meeting. One was communications. We need to improve our communications to county residents and businesses. We will also work together to enhance our combined social media presence with Covid-19 information. Another meeting is scheduled for this Thursday.

Dr. Macedonia then talked about the last five or six months being rough. There has been a lot of criticism from citizens. Folks have come to the meeting and criticized the Board and some individually. That is okay. His concern with criticism is people are criticizing our staff and what is being done at the health department really bothers him because a lot of times they aren't presenting facts. They hear things on the street and elsewhere and then come here and make accusations. It's been tough. His hope that come January, all of this will be behind us. The new health commissioner will be on board. He hopes that the attacks on our personalities and roles will stop. They serve no purpose. Most of the time, people are speaking with no authority. He has no idea where people come up with the ideas. He is asking for everyone to please support us and not criticize. It has to end. He is concerned about the staff. They are beat up and they're working long hours. One last point was regarding an article that was placed in the Herald Star last Sunday. He understands freedom of speech. However, if someone is going to write something to the newspaper, it should be factual. People read these things in the paper and assume everything is accurate. Everything is not accurate. A previous Board member wrote a letter "Nicole Balakos Deserves Justice". The letter said that there were no other applicants when Nicole was hired. That is an error. For the record, there was a second application. Also, the letter claimed that the health commissioner began a campaign to stop the landfill. Dr. Macedonia said that is also inaccurate. The Board stopped the landfill, not the health commissioner. The Board made a motion not to endorse Greenway's application, not the health commissioner. Please give credit where credit is due. The letter also included criticism of the newly hired health commissioner. If you read the letter in the paper, it leads you to believe the newly hired health commissioner does not have the qualifications as per the ORC. That is false. The new health commissioner, as well as other applicants, were scrutinized. The first question asked was if they met the requirements as per ORC and then they were verified. He asks anyone who is going to criticize the Board to come with accurate facts and truths. He asked folks to please do things to support the department and not criticize. He then wished everyone a Merry Christmas.

<i>Action</i>	<i>Motion to Adjourn</i>	<i>Vote Detail (Roll Call)</i>
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Motion – 2020-193	Chief Crago moved and Mr. Rigaud seconded a motion to adjourn. Motion passed unanimously.	1 st - Crago 2 nd - Rigaud Bell - Aye Crago – Aye Macedonia - Aye Rigaud – Aye
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There being no further business before the Board, the meeting was adjourned at 10:48 a.m.

The next regular meeting of the Board of Health is scheduled for Tuesday, January 19, 2021 at 8:15 a.m. in the Trumbull Towers Building, 2nd Floor.

ATTESTED:

Mr. Terry Bell, Board President

Kelly Wilson, Fiscal, Grants & PI Officer

