Seneca County Board of Health Meeting Minutes

The Seneca County Board of Health met on Monday, May 15, 2023, at the North Central Ohio Education Service Center, 928 W Market St, Tiffin, OH 44883. With a quorum present, Board President Dr. Clay Wolph called the Board's regular meeting to order at 6:00 pm. The Board then recited the Pledge of Allegiance.

Board Members Roll Call:

Scott Lyons – Yes	McKenzie Posey –Yes	Dr. Sarah Sewell– Yes
Natasha Vitte - Yes	Allen Weinandy – Yes	Dr. Zachary West–Yes
Dr. Clay Wolph – Yes		

Others Present:
Laura Wallrabenstein, MA, RS, Interim Health Commissioner, Director of Environmental Health
Anita Gaietto, BBA, Fiscal Director
Andrea Barrell, BSN, RN, Director of Nursing
Trisha Kahler, RD, LD, WIC Director
Lisa England, Registrar

Consider New Contractual Legal Counsel
Dr. West presented to the board to pursue the retention of Clemans, Nelson and Associates Inc. to advise the Seneca county Board of Health on matters of employment contracts, policy and other related matters. Dr. West handed out the management agreement for Clemans, Nelson and Associates, Inc. Dr. Sewell seconded the motion.

Dr. West presented that Clemans, Nelson and Associates, Inc. has served multiple municipalities and other governmental associations, including the Seneca County Commissioners, Sheriff's office, and Job and Family Services. They would come on to help assist and advise the board as relates to contract related matters, employment related matters, and would help review and assist on policies. They charge a retainer fee of $250.00 per month for a 12-month agreement which will cover most services that are outlined in the second component of the packet. If there was something more specific, then there are hourly rates they could charge per hour.

Mr. Derek DeVine, Seneca County Prosecutor requested to be heard. He asked if this contract had been submitted to the prosecutor's office for review. Mr. DeVine stated that you can't pass a resolution approving a contract unless it has been approved by the county prosecutor's office, Dr. West and Dr. Wolph both stated that it is a consultant agreement. Mr. DeVine stated that any contract that expends public funds must be approved by the prosecutor's office. Dr. West stated that this group would be advising and assisting, not representing them in a legal matter. They are advising and assisting alone, not for litigation purposes. Mr. DeVine said that a contract was approved for $78 for snow removal. every contract, you have people here who send them and we review them to make sure they are legally enforceable and give any suggestion that is required by the Ohio Revised Code that we review contracts before they are approved.

Dr. West added Mr. DeVine, we reached out to this group, asked them to come in. We will retain them on this agreement and will submit it to the Prosecutors office for review. Mr. DeVine added that any charges prior to the approval are probably not going to be paid for by the county Auditor

because it has not been approved, it hasn't followed the contract process. He said there was a check list for contract approval.

Dr. West added that when we moved to retain special counsel in January, we did the same process. We moved to retain counsel, Mr. Bill Haak and Mr. Jack Van Kley, we approved their contract. That contact was then submitted to the Prosecutor's office. This is the same process we did in January. Mr. DeVine respectfully disagreed.

Dr. Wolph asked for a roll call vote to approve the contract to retain Clemons, Nelson and Associates Inc:

Scott Lyons – No	McKenzie Posey –Yes	Dr. Sarah Sewell– Yes
Natasha Vitte - Yes	Allen Weinandy – Yes	Dr. Zachary West–Yes
Dr. Clay Wolph – Yes		

Termination appeal hearing for former Seneca County Health Commissioner Anne Goon
Dr. Wolph asked if Ms. Goon has a request of the Board at this time.

Ms. Goon responded, "no I do not".

Dr. West made a motion to move into Executive Session for the purpose of termination. Mr. Weinandy seconded the motion.

Ms. Goon stated that she believes the Ohio revised code gives her the ability to specifically request for it to be in public session. Dr. West did not believe so but the board could move into Executive Session for the purpose of termination of an employee. Ms. Goon added, but a public hearing is allowed if an employee requests one as the revised code dictates.

Dr. Wolph asked if Clemans, Nelson and Associates were here? They responded that they were present. Dr. West added that they will move into Executive Session to consult. Mr. Lyons said he does not believe we can go into Executive Session; it can only be for employees and money. Dr. West stated that they can discuss the termination component in Executive Session. Mr. Lyons was unsure. A representative of Clemans, Nelson and Associates, Inc. stated ORC 121.22 g1 consideration for discipline of a public employee and he would recommend that they invite their Counsel in to Executive Session.

Dr. Wolph requested a roll call to go into Executive Session

Scott Lyons – No	McKenzie Posey –Yes	Dr. Sarah Sewell– Yes
Natasha Vitte - Yes	Allen Weinandy – Yes	Dr. Zachary West–Yes
Dr. Clay Wolph – Yes		

Dr. Wolph announced for a representative for Clemans, Nelson and Associates, Inc. and Mr. Devine to stay for the Executive Session.

Dr. Wolph Announced at 6:19 the return from the Executive Session

Dr. West made a motion to move in to Executive Session at 6:19 for the purpose of termination hearing with Anne Goon. Dr. Sewell Seconded the motion.

The Board invited Clemans, Nelson and Associates, Inc. into the Executive Session and Anne Goon. Mr. Lyons asked if she has any legal representation. Dr. Wolph responded she does not have representation; this is not a thing she would have representation for.

Scott Lyons – No	McKenzie Posey –Yes	Dr. Sarah Sewell– Yes
Natasha Vitte - Yes	Allen Weinandy – Yes	Dr. Zachary West–Yes
Dr. Clay Wolph – Yes		

Dr. Wolph announced the return from the Executive Session at 7:39. No action was taken. It is their intention to continue the hearing assuming mutual agreement. Ms. Goon agreed that was correct.

Dr. West made a motion to continue the hearing at a future date. Mr. Lyons seconded the motion. The motion carried unanimously.

A representative from Clemans, Nelson and Associates, Inc. clarified that Ms. Goon was in agreement to continuing the hearing at a later date, Ms. Goon confirmed that she was.

Mr. Lyons made a motion to adjourn the meeting at 7:40 pm. Motion carried.

The next Board of Health meeting is scheduled for May 25, 2023, at 6:00 pm, at the North Central Ohio Education Service Center.

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Board of Health President Board of Health Secretary