

BOH042115

The regular meeting of the Hancock County Board of Health was held on Tuesday, April 21 at 4:30 PM at the Hancock County Health Dept. Board Room. Chair Rick Smith proceeded with roll call. Board Members in attendance were: Wilma Boring, Jim Pryor, Phil Rujak and Jill Orenzuk. Staff members attending were: Administrator Jackie Huff, Carolyne Baker, Donna Gialluco and Chelsea Morgan. Guests in attendance were: Tamara Pettit, Our Hometown News Editor; Steve Huba, East Liverpool Review; Joe Billhiemer, COO of El Dorado Resorts; John Stewart, Architect for Encompass, Hancock County Commissioners Jeff Davis and Joe Barnabei; and Barb Jones, resident.

Board Members reviewed the minutes from the Tuesday, April 7, 2015 meeting. Jill Orenzuk motioned to approve the minutes from the April 7, 2015 meeting. Wilma Boring seconded the motion and the motion carried.

There were no new Financial Reports for review.

### **Program Reports from Staff**

**Administrative-** Nothing to report.

**Clinical-** Nothing to report.

**Environmental-** Nothing to report.

**Outreach-** Nothing to report.

**Threat Preparedness-** Nothing to report.

**Old Business:**

Donna gave an update on the Clear Air Regulation. A “count down to Clean Air Regulation” clock has been placed on the Health Department Website. It has replaced the smoking survey and will be visual to anyone who visits the Health Department website.

Jackie introduced Joe Billhimer from Mountaineer Race Track and Casino. He presented each board member with a packet of drawings for the smoking patio at Mountaineer. He introduced John Stewart, an architect retained by Mountaineer to make the presentation requesting waivers to the Clean Air Regulation. Highlights of the presentation are:

- ❖ Smoking patio similar to 2 Ohio locations: Horseshoe in Cincinnati and Scioto Downs in Columbus
- ❖ Existing ramp is ADA approved
- ❖ Distance between wall and “retaining fence” is 5 feet (retaining fence is 12 feet high with landscaping between the two as well as outside the fence)
- ❖ 2 walls from “warehouse area” of building will be removed
- ❖ Separate entrance for smoking patio will be constructed-
- ❖ “Positive Pressure” system at entrance will be created with the use of existing heating/cooling units
- ❖ Positive pressure is air going outside instead of into the building when the door is opened.
- ❖ Heating/cooling units on the roof will add heat/air condition during respective seasons.

Jackie Huff asked if the patio would have food and/or beverage service. Mr. Billhiemer responded beverage service only with servers.

Mr. Billhiemer summarized the requests: a 20foot waiver from the door, a temporary wall and the use of 3 walls. Jackie Huff stated as the current proposal stands, it is a smoking patio-not to be regulated by the Health Department; however with the bar/service personnel being included, the area would need to be inspected by

the Sanitarians at the Health Department. Board Member Jim Pryor questioned if a self-serving station is allowable. Jackie responded that those are inspected as well. Discussion followed among the Board Members and Mr. Billheimer and Mr. Stewart about the interpretation of 2 walls and temporary walls. It was apparent that all had different interpretations. More discussion followed on the Bar and server issue. Chairman Smith reiterated that as long as the bar area with a bartender and servers were removed, the plans were acceptable. He then moved to an item under new business. He called for a motion to clarify a definition in the Clean Air Regulation.

Phil Rujak made a motion to change **Section 1002.Definitions**, *letter d* to read three (3) walls instead of two (2). Jill Orenzuk seconded. Jackie Huff stated that should this motion pass, there would be a 30 day public comment period. At the end of the 30 days, the amended Clean Air Act will be filed with the County clerk's office. Chairman Smith stated this change will make the definition clear to ALL establishments in Hancock County. He then read the definition as it would be following the vote. The motion went to the members and passed 5-0.

#### **-Communications**

Jackie stated the Fees for Services Public Notice has been posted. May 21, 2015 will be the last day to accept comment on those. Donna Gialluco stated that the WV Tobacco Prevention Coalition has made available funding to Hancock County for Billboards advertising the effective date of the Clean air Regulation. Copies of possible boards were in the members packets. Board members all agreed the Bill Boards would be a good source of advertisement.

#### **New Business:**

Donna Gialluco stated the Permit renewal applications will be sent out this week. Samples of the renewals were in the board's packets. In an effort to reduce travel expenses, Donna Gialluco contacted several rental car agencies to get pricing. She presented the travel cost scenario to Charleston with an overnight stay. Chairman Smith questioned the liability insurance. Donna responded 2 criteria must be met; individual auto insurance and health department insurance. Chairman Smith recommended we have the Department's attorney look into the possibility and legal issues involved. Commissioner Davis suggested the Board purchase a vehicle for the department and run the insurance through the county. Jill Orenzuk asked for a total of travel expense for the year. Jackie will report on that at the next meeting. Chairman Smith stated the board will meet on Tuesday, June 9<sup>th</sup> at 4:00 pm in the Health Department Conference Room. With no further business to discuss, Phil Rujak motioned to adjourn, Jim Pryor seconded.

The meeting adjourned.

Respectfully submitted for Health Officer Anna Suray, MD by Donna Gialluco