

TEMPORARY RESOLUTION NO. 141-19

PERMANENT RESOLUTION NO. 137-A

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE FAIRFIELD COUNTY GENERAL HEALTH DISTRICT FOR PUBLIC HEALTH SERVICES

WHEREAS, the current contract with the Fairfield County General Health District for public health services will expire on December 31, 2019; and

WHEREAS, pursuant to Permanent Resolution 121-19, City Council authorized the Mayor to enter into a new two (2) years contract commencing January 1, 2020 – December 31, 2021; and

WHEREAS, the Fairfield County Board of Health only approved a one (1) year contract with the City commencing January 1, 2020 – December 31, 2020;

BE IT RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, OHIO

SECTION 1. That the Mayor is hereby authorized to enter into a contract with the Fairfield County General Health District for public health services for a contract period of one (1) year, which will expire on December 31, 2020, in an amount not to exceed Three Hundred Seventeen Thousand Four Hundred Twenty-Four Dollars and Eighty-Seven Cents (\$317,424.87) for each year of the contract.

SECTION 2. That this resolution rescinds and supersedes the City Council's authorization provided in Permanent Resolution 121-19.

SECTION 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 11/25/19 after 1<sup>st</sup> reading. Vote: Yeas 9 Nays 0

Date Approved: 11/25/19

Clerk: Jeresa Lee Sandy

Offered by: Tom Stiff

Second by: Jelly J. Miller - Dawson

Requested by Finance Committee

David A. Cee  
President of Council

D. Shepp  
Mayor

FAIRFIELD COUNTY GENERAL HEALTH DISTRICT  
HEALTH SERVICES CONTRACT

*Between the:*

*The District Advisory Council  
of the Fairfield County Health Department  
1550 Sheridan Drive, Suite 100  
Lancaster, Oh 43130*

*Phone (740) 652-2800 /Fax (740) 653-6626*

*and*

*The City of Lancaster, Ohio  
104 East Main Street  
Lancaster, Ohio 43130*

## **CONTRACT**

### **BETWEEN THE CITY OF LANCASTER, OHIO, AND THE DISTRICT ADVISORY COUNCIL OF THE FAIRFIELD COUNTY GENERAL HEALTH DISTRICT.**

This contract ("Contract") is made and entered into effective January 1, 2020 by and between the City of Lancaster, Ohio, a municipal corporation constituting a city health district with offices at 104 East Main Street, Lancaster, Ohio 43130, and the District Advisory Council of the Fairfield County General Health District with offices at 1550 Sheridan Drive, Suite 100, Lancaster, Ohio 43130 pursuant to Ohio Revised Code Section 3709.08.

### **WITNESSETH**

WHEREAS, the City of Lancaster, Ohio seeks to purchase certain public health services from the District Advisory Council of the Fairfield County General Health District pursuant to the terms and conditions set forth below; and

WHEREAS, the District Advisory Council of the Fairfield County General Health District is willing to provide such public health services to the City of Lancaster, Ohio pursuant to the terms and conditions set forth below.

NOW THEREFORE, for adequate consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound, the parties to this Contract to hereby agree as follows:

#### **SECTION I.**

**SERVICES** - The Chairperson of the District Advisory Council ("the Council") of the Fairfield County General Health District shall, for the consideration hereinafter stated, furnish to the City of Lancaster, Ohio, and inhabitants thereof (collectively, "the City"), all such public health services as are furnished by said Council to all other cities, villages and townships and the inhabitants thereof, of Fairfield County, Ohio. Said services to the City shall include the following Minimum Public Health Standards for Local Health Departments, as set forth in the most current Ohio Administrative Code statutes as follows:

- 3701-36-04 Protect people from disease and injury
- 3701-36-05 Monitor health status
- 3701-36-06 Assure a safe and healthy environment
- 3701-36-07 Promote healthy lifestyles
- 3701-36-08 Address the need for personal health services
- 3701-36-09 Administer the health district

In addition to the foregoing, the Fairfield County General Health District ("the District") shall provide to the City other public health services such as:

- Newborn home visitation for Help Me Grow Clients
- Public Health Emergency Preparedness
- Communicable disease case management
- Vital Statistics (birth and death records)
- Bureau for Children with Medical Handicaps (BCMh) services
- Women, Infants, and Children (WIC)
- Child Fatality Review Board (CFRB)
- Immunizations
- Others as needed to fulfill the Public Health Standards listed above

And including the enforcement of the following Ohio Administrative Codes (OAC), Ohio Revised Codes (ORC) and Fairfield County Board of Health Regulations:

- Rabies Investigation and Control, OAC 2701-3-01, 3-28, 3-29. ORC 3709.20, .21, .99. Lancaster City Ordinance 505.
- Tattoo and Body Piercing, OAC 3701-09. ORC 3730.
- Public Swimming Pools and Spas, OAC 3701-31. ORC 3749.
- Food Service Operations and Retail Food Establishments, OAC 3701-21, 3717-1 and 901:3. ORC 3717.
- Household Sewage Treatment Systems, OAC 3701-29. ORC 3718.
- Campgrounds, Recreational/RV Parks, OAC 3701-26. ORC 3729.
- Private Water Systems, OAC 3701-28. ORC 3701.344 to 3701-347.

All other applicable sections of Fairfield County General Health District Regulations, and/or Ohio Revised Code, and/or Ohio Administrative Code.

The City shall adopt, as soon as allowable according to law, the current version of the above-described regulations of the Fairfield County General Health District.

Such services shall be rendered, if deemed appropriate and necessary in the reasonable discretion of the District, when requested by (a) the citizens of City, (b) officials of the City's government, (c) authorized authorities for the City of Lancaster School District, (d) medical professionals practicing in or around the City of Lancaster, Ohio, or (e) when otherwise required by state statute.

The Lancaster City Law Director (on behalf of the City of Lancaster) shall be responsible for prosecuting all misdemeanor offenses brought for or on behalf of the District. The Office of Fairfield County Prosecutor ("County Prosecutor") shall be responsible for prosecuting all felony offenses brought for or on behalf of the District. In addition, the County Prosecutor shall be responsible for handling throughout Fairfield County on behalf of the District all civil litigation, including nuisance actions, to enforce the rules and regulations for which the District is responsible ("Civil Enforcement Actions") regardless of whether the events underlying such Civil Enforcement Actions occurred within or without the geographic boundaries of the City of Lancaster.

## SECTION 2.

TERM – This contract shall be in effect, and the public health services to be provided by the District hereunder shall be furnished, beginning at 12:01 a.m. on January 1, 2020, and ending at 11:59 p.m. on December 31, 2020. The parties may extend the term of this Agreement upon mutual written consent.

## SECTION 3.

REPORT - The District's Health Department ("the Health Department") shall render a report quarterly to the Mayor on all services directly rendered to the citizens of the City. Such a report shall describe the type of service rendered, where and for whom the service was rendered, and the number of cases, visits or other appropriate work units involved in the rendering of such services.

## SECTION 4.

COMPENSATION - The City shall pay to the District for the public health services furnished hereunder in 2020 to the City and its inhabitants the sum of Three Hundred Seventeen Thousand Four Hundred Twenty Four Dollars and 87 Cents (\$317,424.87), payable in equal quarterly payments on January 3, April 1, July 1 and October 3. Said quarterly payments shall be sent or delivered to the principal offices of the District's Health Department. If the parties agree to an extension of this Contract, it shall be **no later than forty-five (45) days prior to the expiration of this agreement**, to assist the County Health District in budgeting. Provided that a renewal is agreed to in writing and authorized by the City no later than September 30, said renewal amount shall reflect the same percentage discount, if any, received for any

across the board discount granted by the Board to all of the municipal corporation and township member entities (collectively, "the Members") of the Fairfield County General Health District.

SECTION 5.

NUISANCE/FEES - In any instance where the District expends funds to abate a nuisance within the geographic boundaries of the City of Lancaster, Ohio pursuant to Section 1, above, the Health Department may invoice the City, and the City shall pay to the Health Department in addition to those sums set forth in Section 4, above, the costs of such nuisance abatement. Said payment shall be made by the City no later than thirty (30) days after the City's receipt of said invoice. The District agrees to certify such nuisance abatement costs to the Fairfield County Auditor to be recorded as a lien against the property or properties on which the nuisance occurred and shall reimburse all funds, if any, recovered under such a lien to the City. The Health Department shall obtain written approval from the City prior to taking action to abate said nuisance in order to avoid duplicative enforcement.

SECTION 6.

APPROVAL - This Contract is approved by a majority of the members of the legislative authority of the City of Lancaster, Ohio, pursuant to the provisions of **Permanent Resolution** \_\_\_\_\_ (attached hereto as Exhibit A) dated, \_\_\_\_\_. This Contract is approved by a majority of the members of the Council pursuant to a resolution passed on \_\_\_\_\_ authorizing a contract effective date of January 1, 2020.

SECTION 7.

POWERS - The parties hereto have each determined that the Board of Health of the District is organized and equipped to provide adequate health service which is the subject of this Contract. Pursuant to Ohio Revised Code section 3709.08, the Fairfield County General Health District shall have all the powers and perform all the duties required of a board of health of the city health district within the jurisdiction of the City of Lancaster, Ohio.

IN WITNESS WHEREOF, the parties to this agreement have hereunto set their hands and seals and have executed this agreement the day and year written below.

DISTRICT ADVISORY COUNCIL OF THE FAIRFIELD COUNTY GENERAL HEALTH DISTRICT

\_\_\_\_\_  
Chairperson Date

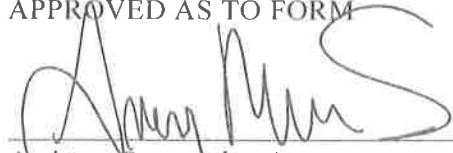
FAIRFIELD COUNTY GENERAL DISTRICT BOARD OF HEALTH

\_\_\_\_\_  
Larry Hanna. Date  
Health Administrator

THE CITY OF LANCASTER, OHIO

\_\_\_\_\_  
Mayor Date

APPROVED AS TO FORM



11/7/19

Assistant Prosecuting Attorney

Date

Fairfield County, Ohio

Attorney for the District Advisory

Council of the Fairfield County Health Department

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Law Director

Date

City of Lancaster

FINANCIAL CERTIFICATE

It is hereby certified that the amount required to meet the contract agreement, obligation, payment of expenditure for the above has been lawfully appropriated, authorized or directed for such purpose and is in the treasury or in the process of collection to the credit of the proper fund and is free from any obligation or certificate now outstanding.

\_\_\_\_\_  
FISCAL OFFICER  
City of Lancaster, Ohio

\_\_\_\_\_  
DATE