

ORDINANCE NO. 2015-034

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE PORTAGE COUNTY COMBINED GENERAL HEALTH DISTRICT, TO PROVIDE HEALTH SERVICES TO THE CITIZENS OF THE CITY OF RAVENNA, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the Ravenna City Health Department is currently without the ability to provide the health services required by the Ohio Revised Code and the Ohio Sanitary Code; and,

WHEREAS, the Portage County Combined General Health District has the ability provide the services to Ravenna City residents.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Ravenna, Portage County, Ohio:

SECTION I: That the Mayor be and he hereby is authorized to enter into an agreement with the Portage County Combined General Health District, to provide health services to the Citizens of the City of Ravenna, Ohio. A copy of the agreement is attached hereto as Exhibit "A" and approved by this Council.

SECTION II: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public in compliance with Section 121.22 of the Ohio Revised Code.

SECTION III: That this Ordinance is hereby declared an emergency measure and shall take effect immediately upon passage and approval by the Mayor for the reason that it is necessary for the health, safety and welfare of the citizens of the City of Ravenna, Ohio and for the additional reason that the Portage County Combined General Health District will provide the healthcare services to the Citizens of the City.

ATTEST:

*Kathryn M. Hegin*  
CLERK OF COUNCIL

*Francis M. Reinisch*  
PRESIDENT OF COUNCIL

I, Kathryn M. Hegin, Clerk of Council of the City of Ravenna, State of Ohio, and in whose custody the files, records and journals of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that Ordinance 2015-034 was taken and copies from the original minutes now on file with said Council, and the within Ordinance 2015-034 has been compared by me with the said original and the same are true and correct copies thereof.

PASSED: 3/2, 2015

*Joseph Bein*  
MAYOR

IN WITNESS WHEREOF, I here unto set my hand this 10th day of March, 2015

APPROVED: 3/2, 2015

*Kathryn M. Hegin*  
Kathryn M. Hegin  
Clerk of Council

I hereby certify that Ordinance No. 2015-034 was duly published on 3/6/2015 and on 3/13/2015 in the Record-Courier, Ravenna, Ohio.

*Kathryn M. Hegin*  
CLERK OF COUNCIL

- |                   |                              |
|-------------------|------------------------------|
| _____ 1st Reading | _____ Waive Rules            |
| _____ 2nd Reading | _____ Adopt Emergency Clause |
| _____ 3rd Reading | _____ Adopted                |
|                   | _____ Assigned Committee     |

**AGREEMENT BETWEEN THE PORTAGE COUNTY COMBINED GENERAL  
HEALTH DISTRICT AND THE CITY OF RAVENNA**

The City of Ravenna, Ohio, a city constituting a city health district (the "City"), by and through its Mayor, and Portage County Combined General Health District (the "PCCGHD"), by and through the Chairman of the Advisory Council, hereby enter into this Agreement (this "Agreement"), as of the Effective date stated herein.

WHEREAS, Section 3709.07 of the Revised Code authorizes a city constituting a city health district, upon approval of the legislative authority of such city, to enter into an agreement for the union of the city health district with a general health district for the administration of public health affairs in a combined health district;

WHEREAS, the Ravenna City Council, at a regular meeting held on March 2, 2015, passed Ordinance No. 2015-034, by a majority vote of its members, and did vote affirmatively on the question of union with the Portage County Combined General Health District and did authorize its Mayor to enter into a contract with the Chairman of the District Advisory Council of the Portage County Combined General Health District for the union and administration of public health affairs in a combined health district under R.C. 3709.07, said Ordinance and minutes to be attached hereto and incorporated herein as Exhibit A, and

WHEREAS, the Chairman of the District Advisory Council of the Portage County Combined General Health District, is authorized to enter into such a contract under the authority of the motion passed at the March 19, 2014 District Advisory Council meeting and by action of the District Advisory Council at their regular meeting, said motion and minutes to be attached hereto and incorporated herein as Exhibit B.

NOW, THEREFORE, pursuant to such authority, the Chairman of the District Advisory Council and Mayor of the City of Ravenna do hereby agree as follows:

1. In accordance with Ohio Revised Code 3709.07, the City of Ravenna (the "City"), a city constituting a city health district, shall unite with the Portage County Combined General Health District ("PCCGHD"), a general health district.
2. The administration of the PCCGHD shall be by a combined Board of Health consisting of those members appointed by the Portage County District Advisory Council in accordance with R.C. 3709.03 and R.C. 3709.07 for the terms as follows:
  - a) Five (5) members to be appointed as provided in R.C. 3709.03 .

- b) One (1) member from each City within Portage County that has contracted with the Portage County District Advisory Council in accordance with Ohio Revised Code 3709.07.
  - i. As of the date of this agreement this includes the City of Aurora, the City of Ravenna and the City of Streetsboro.
- c) When members of the Board of Health are appointed in accordance with Section 2(a) & (b), at least one member of the board of health shall be a physician. All appointments shall be made with due regard to equal representation of all geographical parts of the district and should be from disciplines that include, but are not limited to, service providers, administrators and educators of Medical, Mental and Environmental Health, Schools & Universities, & Community and Economic Development.
- d) Terms of a member of the Board of Health shall be for a period of five (5) years, with the terms of members of the Board of Health as of the effective dated of this agreement to continue, without interruption, on the same expiration schedule that existed prior to this agreement.
- e) A vacancy in the membership of the Board of Health shall be filled in like manner as the original appointment and shall be for the unexpired term.
- f) When a vacancy of a member representing the township and villages occurs more than ninety (90) days prior to the first Monday in March ensuing, the members remaining on the Board of Health may appoint a member to fill such vacancy until the next annual meeting of the Portage County District Advisory Council.

3. The public health services to be provided by the PCCGHD throughout the District shall be those public health services required by the Ohio Revised Code and the Ohio Sanitary Code, and any such other public health services that are duly authorized or required by regulations of the PCCGHD and can be furnished with the amount of money annually appropriated and certified to the PCCGHD by the Portage County Budget Commission.

- A. The Combined General Health District will use all reasonable and best efforts to provide high quality public health and environmental services to the communities, which may include, but are not limited to, the following:
  - i. Conduct and disseminate assessments focused on population health status and health issues facing the community.
  - ii. Investigate health problems and environmental public health hazards in order to protect the community.
  - iii. Inform and educate the community about public health issues and functions.
  - iv. Engage the community in order to identify and solve health problems.

- v. Develop public health policies and plans.
- vi. Enforce public health laws and regulations.
- vii. Promote strategies to improve access to health care services.
- viii. Maintain a competent public health workforce.
- ix. Evaluate and continuously improve processes, programs, and interventions.
- x. Contribute to and apply the evidence base of public health.
- xi. Maintain administrative and management capacity.

4. The PCCGHD is committed to serving the needs of the residents of Ravenna and will, upon request, be available to meet with appropriate representatives of the City regarding the public health services provided by the PCCGHD to City residents.

5. The budget for the operation of the PCCGHD shall be estimated by the Board of Health for the PCCGHD and reviewed and fixed by the Portage County Budget Commission. The several sources of revenue as set forth in R.C. 3709.28, as well as the voted 0.04 mil levy, shall be apportioned by the Portage County Auditor on the basis of taxable valuations among each township, village and cities composing the PCCGHD. After these amounts have been deducted from the annual PCCGHD budget, the remaining funds to meet the annual PCCGHD budget may be apportioned by the County Auditor on the basis of taxable valuations among each township, village and city composing the PCCGHD and paid into the PCCGHD funds.

- a) For FY 2015 only, the City of Ravenna shall continue to pay the PCCGHD the sum of Sixty Eight Thousand Nine Hundred Seventy 00/100 Dollars (\$68,970.000) per the terms of written agreement between the City and the PCCGHD..
- b) For each ensuing fiscal year the City of Ravenna residents shall be assessed the .04 mil levy, or such other amounts, as is collected from other township, villages and cities composing the PCCGHD.

6 As of the effective date of this Agreement, the voting membership of Board of Health for the PCCGHD shall increase by one (1) member to include a representative of the City of Ravenna, in accordance with the Ohio Revised Code. The term of office of the City's representative on the Board of Health shall be five (5) years, and the appointment shall be made by the Mayor of the City of Ravenna, with the approval of the Ravenna City Council.

7. The Health Commissioner shall prepare a quarterly report detailing the Board of Health's activities during the preceding three months. Those reports shall be submitted to the District Advisory Council, and the City of Ravenna Mayor in accordance with Ohio Revised Code 3709.19.

8. This agreement shall remain in full force and effect as follows:

- a) The initial term shall be two (2) years from the date executed by the Parties, and thereafter, shall be reviewed by the Parties every five (5) years, until mutually terminated in writing by the Parties.
- b) The City of Ravenna may withdraw from the PCCGHD and terminate this agreement effective January 1 of any given year upon giving at least eight (8) month prior written notice of its intention to withdraw and terminate to the PCCGHD.
- c) Upon the effective withdrawal or termination, the PCCGHD shall have no duty or obligation to provide services to the residents of the City of Ravenna

9. All notices and demands required or permitted by either party under this Agreement shall be served upon the other party by registered or certified United States Mail, postage prepaid, return receipt requested, or by nationally recognized overnight courier (such as FedEx or UPS), addressed to the respective parties and their respective addresses as set forth below:

To the City: Mayor  
City of Ravenna  
  
210 Park Way  
  
Ravenna, Ohio 44266

With a copy to: Director of Law  
City of Ravenna  
  
PO Box 1215  
  
Ravenna, Ohio 44266

To the PCCGHD: Portage County Combined General Health District  
705 Oakwood, 2nd Floor  
  
Ravenna, Ohio 44266

With a copy to: Portage County Prosecutor  
  
Chief Ass't. Prosecutor, Civil Division  
  
241 S. Chestnut St.  
  
Ravenna, OH 44266

10. The parties hereto expressly agree that the terms and conditions of this Agreement

and subsequent performance hereunder shall be construed and controlled in accordance with the laws of the State of Ohio. Any court of competent jurisdiction within Portage County, State of Ohio shall be the proper forum for bringing any action to enforce or construe the provisions of this Agreement. If any court of competent jurisdiction is unable to construe any provision of this Agreement or holds any part thereof invalid, such holding shall in no way affect the validity of the remainder of this Agreement.

11. Each party agrees that it will, without further consideration, execute and deliver such other documents and take such other action, whether prior to or subsequent to the Effective Date, as may be reasonably required by the other party to consummate more effectively the purposes or subject matter of this Agreement, including but not limited to delivery of documents to the Portage County Auditor on or before October 1, 2015.

12. This Agreement may be executed in counterparts, and all such executed counterparts shall constitute the same agreement. It shall be necessary to account for only one such counterpart in proving the Agreement. Two (2) originals will be executed one (1) for the City of Ravenna and one (1) for the PCCGHD.

13. This Agreement is specifically conditioned upon the approval of the Ravenna City Council by legislative action and by Resolution of the Portage County District Advisory Council. Should the effectiveness of such legislative action be suspended or impaired through the filing of a valid referendum petition or initiation petition or if any provision of this Agreement is invalidated by a final decision of a court of competent jurisdiction, this Agreement shall terminate and PCCGHD shall have no further obligation hereunder.

14. No amendments, modifications or variation of the terms and conditions of this Agreement shall be valid unless the same are in writing and approved and signed by all of the Parties hereto.

15. This Agreement shall be binding upon and shall inure to the benefit of all the Parties hereto and their successors and assigns.

16. The terms and conditions of this Agreement shall not inure to the benefit of any third party or parties.

17. The headings and titles of the several section, provisions and clause of this agreement are for convenience only and do not define, limit or construe the contents of that section or this Agreement.

18. The Parties represent to each other that, by their respective execution of this Agreement, they have obtained all necessary consents and approvals required for their respective execution and performance thereof.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates set forth below:

Date: \_\_\_\_\_

District Advisory Council  
Portage County Combined General Health District

By: \_\_\_\_\_  
Chairman

Date: 3/2/15

City of RAVENNA

By: Joseph Bein  
Mayor

I hereby certify that a true and accurate copy of this contract between the Portage County Advisory Council to the PCCGHD and the City of Ravenna has been filed with the Ohio Department of Health and on or before October 1, 2015 with the Portage County Auditor.

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DuWayne Porter, Health Commr.

RESOLUTION #2015-001

February 26, 2015

BY: THE RAVENNA BOARD OF HEALTH FOR THE CITY OF RAVENNA

BY: RESOLVES THAT THEY COLLECTIVELY, AS THE RAVENNA BOARD OF HEALTH, APPROVE THE ATTACHED CONTRACT FOR THE CITY OF RAVENNA TO JOIN THE PORTAGE COUNTY COMBINED GENERAL HEALTH DISTRICT.

WHEREAS, In accordance of the ORC 3709.07 the law allows for the union of a city health district with a county health district.

WHEREAS, The District Advisory Council authorized the Chairman to enter into the agreement for the City of Ravenna to join the County Health District in March 2014.

WHEREAS, The City Council by unanimous vote approved the City of Ravenna to join the County Health District and to negotiate the terms of the agreement to join with the District Advisory Chairman in July 2014.

Therefore, be it resolved:

It is moved by Board Member Sandy Myers, seconded by Board Member Margret Medzi that this resolution be adopted; and hereby RESOLVED that the Ravenna City Board of Health approve the attached agreed upon contract between the Mayor of the City of Ravenna and the Chairman of the District Advisory Council.

Upon call of the roll, vote was as follows:

ROLL CALL:

Lucy Ribelin  
Lucy Ribelin, President

William McCluskey  
William McCluskey, Member

Sandy Myers  
Sandy Myers, Member

Margret Medzi  
Margret Medzi, Member

Ruth Carnes  
Ruth Carnes, Member

Joseph Bica  
Joseph Bica, Mayor and Member

I, Kelly Engelhart, Secretary of the Ravenna City Board of Health do hereby Certify that the foregoing is true and correct copy of the Resolution of the Ravenna City Board of Health, duly adopted 2-26-15 and appearing in the Board minutes of 2-26-15

Kelly Engelhart  
Kelly A. Engelhart, MPH  
Secretary Ravenna City Board of Health

Date: 2-26-15