



Introduced: 1/3/2017
Revised:
Adopted:
Effective:

RESOLUTION NO. 2017-005

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO ENTER IN TO CONTRACT WITH THE LICKING COUNTY HEALTH DEPARTMENT FOR ADMINISTRATION OF HEALTH AND ENVIRONMENTAL SERVICES THROUGH THE COMBINED GENERAL HEALTH DISTRICT

WHEREAS, the Newark City Health District, the Heath City Health District, the Pataskala City Health District, and the Licking County General Health District previously, with the support of the Licking County Board of Commissioners, entered into an agreement establishing a single combined general health district; and

WHEREAS, the current agreement for the administration of health and environmental services and affairs within the Combined General Health District will expire until January 1, 2018. However, District Advisory Council meets only once per year and therefore requested the City execute a new contract now to make certain services continue uninterrupted; and

WHEREAS, the member districts of the Combined General Health District now intend to enter into a new agreement for the administration of health and environmental services and affairs, which shall go into effect on January 1, 2018 and end on January 1, 2023, in order to replace the current agreement on its expiration date.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:

Section 1: Council of the City of Pataskala hereby authorizes and directs the City Administrator to execute a contract, in substantially the same form and content as the contract attached hereto as Exhibit A and incorporated herein by reference, with the Licking County Health Department for the administration of health and environmental services through the Combined General Health District.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 3: This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:

Kathy M. Hoskinson, Clerk of Council

Michael W. Compton, Mayor

APPROVED AS TO FORM:

Brian M. Zets, Law Director

**AGREEMENT FOR THE ADMINISTRATION OF HEALTH AND
ENVIRONMENTAL SERVICES AND AFFAIRS WITHIN THE
GEOGRAPHICAL JURISDICTION OF THE LICKING COUNTY, OHIO
COMBINED GENERAL HEALTH DISTRICT.**

EFFECTIVE DATE: January 1, 2018

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AGREEMENT FOR THE ADMINISTRATION OF HEALTH AND ENVIRONMENTAL SERVICES AND AFFAIRS WITHIN THE GEOGRAPHICAL JURISDICTION OF THE LICKING COUNTY, OHIO COMBINED GENERAL HEALTH DISTRICT.

PREAMBLE

WHEREAS, Ohio Revised Code Section 3709.01 provides that each city within the State of Ohio constitutes a health district known as a “city health district” and the townships and villages within each county are combined into a health district known as a “general health district”; and,

WHEREAS, Ohio Revised Code Section 3709.07 authorizes one or more city health districts to unite with a general health district in the formation of a single district; and,

WHEREAS, the Newark City Health District, the Heath City Health District, the Pataskala City Health District, and the Licking County General Health District previously, with the support of the Licking County Board of Commissioners, entered into an agreement establishing a single combined general health district; and,

WHEREAS, the current agreement for the administration of health and environmental services and affairs within the combined general health district is scheduled to expire on January 1, 2018, and,

WHEREAS, the member districts of the combined general health district now intend to enter into a new agreement for the administration of health and environmental services and affairs within the combined general health district, which shall go into effect on January 1, 2018, in order to replace the current agreement on its expiration date.

NOW, THEREFORE, pursuant to the authority granted the Chairman of the Licking County General Health District Advisory Council and the Mayors of the Cities of Newark, Heath, and Pataskala, Ohio, the parties hereto, mutually covenant and agree that the administration of health and environmental services and affairs within the combined general health district shall be in accordance with the following terms and conditions.

1. EFFECTIVE DATE, IMPLEMENTATION, AND CONTINUATION,

The effective date of this Agreement shall be January 1, 2018, insofar as it relates to the implementation and operational plan as provided in Section 2 below, subject to the terms and conditions set forth herein, for the creation, organization and administration of the Combined General Health District.

The Combined General Health District shall be fully operational and shall continue the full administration of health and environmental affairs within the Licking County General Health District and the Health Districts of the Cities of Newark, Heath, and Pataskala as of January 1, 2018, subject to the terms and conditions set forth herein, unless said date is modified in writing by mutual agreement of the parties.

2. PUBLIC HEALTH AND ENVIRONMENTAL SERVICES

The public health services to be provided for the cities, townships, and villages, within the Combined General Health District, shall be those that are required by the Ohio Revised Code and the Ohio Sanitary Code, and such other services as are duly authorized or required by regulations of the General Health District, and those services that can be furnished within the budgetary limits of the Combined General Health District.

The Combined General Health District will strive to provide high quality public health and environmental services to the community, which shall include the following:

- A.** Conduct and disseminate assessments focused on population health status and health issues facing the community.
- B.** Investigate health problems and environmental public health hazards in order to protect the community.
- C.** Inform and educate the community about public health issues and functions.
- D.** Engage the community in order to identify and solve health problems.
- E.** Develop public health policies and plans.
- F.** Enforce public health laws and regulations.
- G.** Promote strategies to improve access to health care services.
- H.** Maintain a competent public health workforce.
- I.** Evaluate and continuously improve processes, programs, and interventions.
- J.** Contribute to and apply the evidence base of public health.
- K.** Maintain administrative and management capacity.

3. REPORTING PERIOD

The Combined Board of Health shall, at least semi-annually, commencing from the effective date of this Agreement and continuing thereafter throughout the period of this Agreement, provide the parties hereto with a written detailed account of the activities of the Combined General Health District.

4. TERM

The terms of this Agreement shall become effective January 1, 2018.

The funding terms (Section 10) provided for herein shall be effective January 1, 2018 through January 1, 2023.

All other terms of this Agreement shall continue in full force and effect, without expiration, so long as the Combined General Health District continues to exist and operate as in accordance with Ohio Revised Code Section 3709.07, unless otherwise modified, in writing, by mutual consent of the parties.

5. DISTRICT ADVISORY COUNCIL OF THE COMBINED GENERAL HEALTH DISTRICT

Pursuant to Ohio Revised Code Sections 3709.03 and 3709.07, the District Advisory Council of the Combined General Health District shall consist of the president of the Board of Licking County Commissioners, the chief executive of each village, the mayor of each city, and the president of the board of township trustees of each township.

6. THE COMBINED GENERAL HEALTH DISTRICT BOARD

The Combined Board of Health, which has been previously established pursuant to an agreement mutually executed by the parties hereto, shall assume administration of the Combined General Health District. The Combined Board of Health shall organize and administer the Combined General Health District; and, enforce the health and environmental rules and regulations adopted, applicable and effective, within its jurisdictional and geographic boundaries.

7. APPOINTMENT/TERM OF OFFICE OF MEMBERS OF THE COMBINED GENERAL HEALTH DISTRICT BOARD

The Combined Board of Health shall consist of eleven (11) members who shall serve without pay, except that which is provided by the general laws of the State of Ohio as they now or hereafter may exist, to be appointed as follows: six (6) members to be appointed by the District Advisory Council of the members of the Licking County General Health District to represent the territory of Licking County outside of the Cities of Newark, Heath, and Pataskala; one (1) physician member to be appointed by the District Advisory Council of the members of the Licking County General Health District to represent all of Licking County; two (2) members to be appointed by the Mayor of the City of Newark with the approval of the Council to represent the incorporated area of the City of Newark; one (1) member to be appointed by the Mayor of the City of Heath with the approval of Council to represent the incorporated area of the City of Heath; and one (1) member to be appointed by the Mayor of the City of Pataskala with the approval of the Council to represent the incorporated area of the City of Pataskala.

Members of the Combined Board of Health shall be residents of the area that they represent.

As the term of each member of the Combined Board of Health expires, the appointing authority shall fill the vacancy created thereby for a five (5) year term. In the event that a vacancy is created by death or resignation of a member, or by significant non-attendance by a member, as determined by the original appointing authority for such member, the original appointing authority for the un-expired term of such member shall fill the vacancy.

The parties hereto acknowledge and agree that if, at any time during the term of this Agreement, the Village of Johnstown, or any other village, attains the status of an incorporated city within the jurisdiction of Licking County, Ohio, and the newly incorporated City elects to become a party to this Agreement, then the composition of the

Combined Board of Health shall be adjusted to include one (1) additional member to be appointed by the Mayor of the City with the approval of the Council to represent the incorporated area of the City, as the same shall, from time to time, exist. The City's election to become a party to this Combined General Health District and any appointment to the Combined Board of Health shall be subject to the terms and conditions of this Agreement and/or any amendment thereto.

8. COMPENSATION FOR THE MEMBERS OF THE COMBINED GENERAL HEALTH DISTRICT BOARD

Members of the Combined Board of Health shall be compensated for attendance at meetings and/or reimbursed for expenses in accordance with Ohio Revised Code Section 3709.02, and as such law may be amended from time to time.

9. ORGANIZATION AND ADMINISTRATION OF THE COMBINED GENERAL HEALTH DISTRICT

The organization of the Combined General Health District shall be the responsibility of the Combined Board of Health created, established and appointed in accordance with Sections 6 and 7 of this Agreement. Consistent with this Agreement, the Combined Board of Health shall also be responsible for administering the health and environmental affairs within the Licking County General Health District, the City of Newark Health District, the City of Heath Health District, and the City of Pataskala Health District, as provided by the laws of the State of Ohio. The Combined Board of Health may adopt rules and regulations for the purposes of administering such health and environmental affairs as authorized by law. The rules and regulations adopted or enacted by the Combined Board of Health shall be enforceable throughout its geographical jurisdiction as applicable.

The Combined Board of Health shall appoint a Health Commissioner who shall be the Chief Administrative Officer of the Combined General Health District. The Health Commissioner shall be responsible for the organization and administration of the Combined General Health District, subject to the approval of, pursuant to the directives of, and consistent with the rules and regulations adopted or enacted by the Combined Board of Health.

10. BUDGET, CONTRIBUTIONS, FEES, GRANTS AND LEVIES

The Combined Board of Health shall, no later than March 31 of each year, establish and approve a Combined General Health District budget for the following fiscal year. The fiscal year of the Combined General Health District shall be from January 1 through December 31.

The Combined Board of Health shall also identify, within the Combined General Health District budget, the intergovernmental revenue amount. The intergovernmental revenue amount is defined as the total District budget minus grant revenues (projected and actual), fee revenues, and all other funding sources. The resulting intergovernmental

revenue portion of the Combined General Health District budget shall be apportioned among the parties to this Agreement as follows:

The City of Newark shall provide \$738,000.00 per year. The villages and townships of Licking County, Ohio, through the District Advisory Council of the Licking County General Health District, the City of Pataskala, and the City of Heath shall provide the remaining portion of the total intergovernmental revenue per year.

The budget for the operation of the Combined General Health District shall be estimated by the Combined Board of Health and subject to approval by the Licking County Budget Commission. Any unusual or unexpected expenditure over or under the previous year's expenditures shall be noted and considered.

11. PAYMENTS AND ALLOCATION OF COSTS

Except for the Cities of Newark, Heath, and Pataskala, the parties to this Agreement hereby agree and authorize the Licking County Auditor to deduct each party's share of the intergovernmental revenue directly from the real estate settlement. The cities shall transfer at least one-half of the annual funding allocation to the Combined General Health District no later than April 1 of each year, with the remainder of the funding allocation to be transferred no later than October 1 of the same year.

12. ANNUAL FUNDING ALLOCATION BY THE CITY OF NEWARK

Either the City of Newark or the Combined General Health District may propose, subject to agreement by the parties, to modify the annual funding contributions.

13. TERMINATION

Any party may withdraw from, and thereby terminate, said party's obligations under this Agreement, by giving written notice of such intent to withdraw to the Combined Board of Health. Such written notice must be given more than one (1) year in advance of the effective date of withdrawal from this Agreement. During the period between the submission of the written notice of withdrawal to the Combined Board of Health and the effective date of the withdrawal from this Agreement, the withdrawing party shall be bound by the full force and effect of this Agreement.

The Combined Board of Health may, by an affirmative vote of a majority of its members, elect to disband the Combined General Health District and thereby terminate this Agreement. In the event that the Combined Board of Health elects to disband the Combined General Health District and terminate this Agreement, such disbandment and termination shall be fully implemented and effective no less than one (1) year from the

date of the Combined Board's election for such action. During the period between the Combined Board's election to disband the Combined General Health District and terminate this Agreement and the effective date to fully implement such action, all parties to this Agreement shall remain bound by the full force and effect of this Agreement.

14. LEGAL ADVISOR

The Licking County Prosecutor's Office shall be the legal advisor of the Combined General Health District.

15. MISCELLANEOUS

A. This Agreement constitutes the entire understanding between the parties hereto relating to the matters herein contained.

B. This Agreement shall be construed and enforced pursuant to the laws of the State of Ohio.

C. No amendments, modifications or variations of the terms and conditions of this Agreement shall be valid unless the same are in writing and approved and signed by the parties hereto.

D. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto, and their successors and assigns.

E. If any provision of this Agreement shall be or become illegal or unenforceable, in whole or in part for any reason whatsoever, the remaining provisions shall nevertheless remain valid, binding and subsisting.

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

G. The headings and titles of the several sections, provisions and clauses of this Agreement are for convenience only and do not define, limit or construe the contents of this Agreement.

H. 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.

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[Signature Page to Follow]

FOR THE CITY OF NEWARK:

(Date)

FOR THE LICKING COUNTY
DISTRICT ADVISORY COUNCIL:

(Date)

FOR THE CITY OF HEATH:

(Date)

FOR THE CITY OF PATASKALA:

(Date)

APPROVED AS TO FORM
FOR THE CITY OF NEWARK

(Date)

APPROVED AS TO FORM
FOR LICKING COUNTY

(Date)

OHIO DEPARTMENT OF HEALTH

(Date)