RESOLUTION NO. 017-20

RESOLUTION BY THE BOARD OF HEALTH OF THE SUMMIT COUNTY COMBINED GENERAL HEALTH DISTRICT PERMITTING ELECTRONIC MEETINGS OF PUBLIC BODIES COVERED BY ORC 121.22

WHEREAS, the Board of Health of the Summit County Combined General Health District, acting under authority vested in it by Section 3709.21 of the Ohio Revised Code, may adopt regulations necessary for its own government, for the public health, the prevention or restriction of disease, and the prevention, abatement, or suppression of nuisances; and

WHEREAS, ORC 3707.04 provides that a Board of Health, “in times of epidemic or threatened epidemic, or when dangerous communicable disease is unusually prevalent . . . the board may make and enforce such rules and regulations as are wise and necessary for the protection of the health of the people in the community or state . . .”; and

WHEREAS, COVID-19, a novel strain of Coronavirus, is prevalent in Summit County and has been declared to be a pandemic by the World Health Organization; and

WHEREAS, the prevalence of COVID-19 has caused a State of Emergency to be declared by the President, Governor of Ohio, and County Executive; and

WHEREAS, the Health Commissioner, after personal investigation, has determined that COVID-19 is an epidemic in Summit County; and

WHEREAS, it is wise and necessary for the Board to prohibit persons from congregating and to promote social distancing in order to prevent the spread of COVID-19; and

WHEREAS, public bodies covered by ORC 121.22, the Ohio Open Meetings Act (OMA) are required to hold meetings in person and permit the public to attend; and

WHEREAS, the OMA requires in person attendance of Board members for a quorum and to for voting; and

WHEREAS, public bodies need to continue meeting and operating in order to conduct public business; and

WHEREAS, the in-person attendance of persons at public board meetings presents a threat to the public health and will promote the spread of COVID-19; and
NOW, THEREFORE, BE IT RESOLVED by the Board of Health of the Summit County Combined General Health District:

SECTION 1: That this Resolution is passed under authority vested in the Board by ORC 3709.21 and ORC 3707.04.

SECTION 2: That this Resolution shall be in effect until the Board of Health declares that the provisions herein are no longer necessary.

SECTION 3: That Board of Health members may attend Board of Health meetings electronically. If a Board of Health member attend electronically, they shall be counted as present “in-person” for purposes of the OMA, shall be permitted to vote electronically, and shall be counted for purposes of quorum.

SECTION 4: That the Board of Health shall make all reasonable efforts to make meetings available electronically for members of the public. The Board of Health shall make all reasonable efforts for the public to engage in public comment, with reasonable restrictions.

SECTION 5: That, except as provided in Section 6 of this Resolution, all meetings of public bodies covered by ORC 121.22 in Summit County shall be held electronically. If a member of a public body attends electronically, they shall be counted as present “in-person” for purposes of the OMA, shall be permitted to vote electronically, and shall be counted for purposes of quorum. The public body shall make best efforts to allow members of the public to attend electronically; via livestream if possible. A failure of livestreaming or electronic means which incidentally excludes the public shall not invalidate any action taken by the public body at the meeting.

SECTION 6: That public bodies covered by this Resolution may only meet in person if they provide accommodations which allow members of the public body to be maintained at a minimum distance of 6 feet apart. The public body shall exclude members of the public from in-person meetings, but may include members of the media or other persons that the public body deems to be necessary.

SECTION 7: That these regulations are wise and necessary for the protection of the health of the people of the community of Summit County due to the prevalence, spread, and consequences of COVID-19 which will be mitigated by this Resolution by limiting in-person spread of COVID-19.

SECTION 8: That this Resolution is passed as an emergency pursuant to ORC 3709.20 because of COVID-19 and the reasons outlined above and shall become effective immediately.
Adopted: March 20, 2020

[Signatures]

Secretary

President Pro Tempore

CERTIFICATION

I, Donna R. Skoda, MS, RD, LD., Secretary of the Board of Health of the Summit County Combined General Health District, Summit County, Ohio, do hereby certify that the foregoing Resolution No. 017-20 was duly and regularly adopted by the Board of Health of the Summit County Combined General Health District, Summit County, Ohio, on the 20th day of March, 2020.

[Signature]

Donna R. Skoda, MS, RD, LD, Secretary