



1.0 CONVENTION

1.01 CALL TO ORDER

The March 12, 2019 meeting was held at the Delaware General Health District located at 1 West Winter Street, Delaware, OH and called to order at 7:00 PM by Dr. Threlfall. Board members present included: Dr. Threlfall, President, Mr. Blayney, Vice President, Mr. Wisener; Ms. Fleischer; and Ms. Karr. Staff members present were: Ms. Shelia Hiddleston, Health Commissioner; Mr. Steve Burke, Environmental Health Director; Ms. Jen Keagy, Community Health Director; Ms. Stephanie DeGenaro, Program Manager Food Protection Unit. Guests present were: Mr. Eric Penkal, Delaware County Assistant Prosecutor. Court reporter, Carla Castle, Higgins and Associates, was also present.

4.0 REGULATIONS/SUBDIVISIONS/VARIANCES/PUBLIC PARTICIPATION

4.05 License Revocation

A Food Service Operation Hearing for Dickey's BBQ, 820 Sunbury Road, Delaware #NFRY-9DSU38 occurred to consider numerous violations of the Ohio Food Code.

On November 19, 2018 staff held an Administrative Hearing with the management of Dickey's BBQ to develop an action plan to address the violations. The plan agreed upon involved 2 staff of Dickey's BBQ to pass level 1 food safety course, 2 staff to pass level 2 food safety course and the submission of a written estimate for floor repairs. To date, two employees have received the level 1 food safety certification; however, a written estimate for the floor repair has not been received nor have two employees received the level 2 food safety certification.

Mr. Burke and Ms. DeGenaro provided a summary of inspections and evidence of owner to come into compliance with the agreed upon plan. There were not any representatives of Dickey's Barbecue Pit #249 present. A court reporter, Ms. Castle, swore in Mr. Burke and Ms. DeGenaro prior to their testimony, accepted exhibits provided by staff, and transcribed the entire meeting.


At the completion of testimony, the Board discussed the issues and Mr. Penkal provided information about possible actions that the Board could take; additionally, Mr. Penkal discussed the possible appeal process of a license revocation.

A motion was made by Mr. Wisener to revoke Dickey's BBQ license. The motion was seconded by Ms. Fleischer. The Board discussed further the motion, noting possible next steps. Mr. Wisener withdrew the motion, with Ms. Fleischer in agreement.


A motion was made by Mr. Wisener to revoke the license for Dickey's BBQ, 820 Sunbury Road, Delaware, until such time as the Board of Health approves the issuance of a new license and all requirements have been met. The motion was seconded by Ms. Fleischer. The motion carried unanimously.

Mr. Burke will develop a letter notifying the owner that the license is revoked that will be hand delivered immediately.

The Board meeting adjourned at 7:45 PM.



President



Secretary