Schools
Continued from Page 1
As recently as last week, the Ohio Supreme Court extended liability to school boards through a case that involved a six-year-old Cuyahoga County boy, who had been scalded by boiling water while at school.
John Coleman of the Ohio Municipal League said that the bill is a "very, very important piece of legislation, especially for smaller communities" with small budgets.
Court "awards aren't based on the size of a city," he said. "There's a perception that there is an unlimited treasury at city hall."
"No school district in the state could afford a multi-million dollar award," added John Ippolito, director of legislative services for the schools association. "Those millions just aren't laying around in anyone's bank account."
As president of the Ohio Municipal Attorneys Association, Dayton Law Director Thomas Petekwitz was deeply involved in drafting the proposed legislation.
Petekwitz said the proposal, in essence, restores sovereign immunity to cities. He said the proposed law was being presented with the idea that it would be changed as the legislature works through it.
"We're saying these are the problems of municipalities, you guys determine what's palatable to the people," Petekwitz said.
Petekwitz said that an important part of the proposal was the $250,000 per-individual/$500,000 per-incident limit on the amount of money that can be collected.
"That provides for the public wellbeing, so there is not a debilitating effect on the public funds," he said.
Petekwitz said the bill still allowed for many ways in which a city could be sued.
For instance, local governments would be liable for injuries caused by failure to maintain bridges, streets and sidewalks. And they would be liable for injuries caused by the negligent operation of equipment and vehicles by government employees.
Through their associations, local governments carry considerable clout with the Ohio legislature. Supporters believe the measure faces stiff resistance, nonetheless.
Cook predicted that trial lawyers, in particular, would mount "stiff opposition" to the bill.
Peter J. Jerardi Jr. of the Dayton lawyer who successfully represented Johnnie Wilder Jr. in a multi-million dollar personal injury lawsuit against Dayton, is opposed to restoring sovereign immunity to cities.
"If I get mangled by a city employee, I'm just as hurt (as by a private person)," Jerardi said.
And he said that if cities were not forced to accept responsibility for their actions, "it promotes a shoddy attitude."
"If you know something's dangerous, you have a duty to fix it," Jerardi said. "The government, in the same situation, says that if they don't do that, they don't want to pay it. They cry that they can be bankrupted because of their own stupidity."
Jerardi said that, in some instances, such as a police officer who injures someone while speeding in an emergency, if all the facts of the case are presented to a jury, justice is likely to prevail.
"But when you say this guy has an absolute right to speed or blow stop signs, that encourages him to drive like a lunatic," Jerardi said. "You can't put the whole community at risk like that."
Jerardi said, in that instance, the question of whether it was reasonable for the officer to run the stop sign must be answered.
Dayton Mayor Paul Leonard said the law needed to reach a balance, in which cities could be held responsible for their mistakes, but were also protected from huge awards.
"We need to be responsible for injured citizens, but to protect the taxpayers' interest," said Leonard, who is a lawyer.
Leonard said he hoped the final legislation would set some limits on punitive damages. As proposed, the legislation protects cities against all punitive awards.
Though the bill's sponsor hopes hearings on the bill will begin this fall, he does not expect the bill to reach the floor until next year.
Because of its importance and intricacies, William Weisenberg, chief lobbyist for the Ohio State Bar Association, agrees.
"You can be sure this bill will be amended. There is no question that a bill of this magnitude will go through many rewritings," said Weisenberg.

MEMORANDUM

From: Ken Davis
To: Joe Atchison

Johnnie Wilder, Jr.
112 West Third Street
Dayton, Ohio 45402

May 13, 1973

Dear Johnnie,

I am writing this letter to inform you of the recent developments in the case of Johnnie Wilder Jr. v. Dayton, No. 730021, in the Ohio Supreme Court. As you may recall, I represented you in your personal injury lawsuit against the city of Dayton.

I am pleased to report that the Ohio Supreme Court has issued its decision in this case. The court ruled in favor of the city of Dayton, finding that sovereign immunity was applicable in this case.

I hope this news brings some relief to you. If you have any questions or need further information, please do not hesitate to contact me.

Sincerely,

Peter J. Jerardi Jr.
Dayton Law Director

Ohio cities and school boards have banded together to ask the state General Assembly for protection against what they fear will be costly courtroom raids on their treasuries.

Legislation introduced late last month seeks to define the circumstances under which governmental bodies could be sued for injury, death or property damage caused by the negligence of government employees and set limits on how much can be collected. The legislation was sponsored by the Ohio Municipal League and the Ohio School Boards Association.

In contrast to the limited protection the bill would give cities, townships and counties, the legislation would make a school board entirely immune from such lawsuits.

The bill, which is sponsored by State Rep. Vernni F. Cook, D-Cuyahoga Falls, is designed to offset recent Ohio Supreme court decisions.

In those decisions, the state's high court reversed longstanding doctrines, known as sovereign immunity, under which local governments could not be sued because of damages or injury caused by the negligence of their employees.

(See Schools on Page 4)
Spreading of ‘plague belt’ feared

PHOENIX, Ariz. (AP) — State health officials have discovered a 280-mile “bubonic plague belt” stretching across northern Arizona, and they fear wild animals are carrying the disease south to urban areas.

The “plague belt” was found when the Health Services Department tested rats, rabbits, prairie dogs, foxes and other wild animals in the area and found that 22 of the 90 animals tested were infected with plague-carrying fleas.

Three people have contracted the disease this year. All lived in the rural area of Loop's extending west from Springerville to Seligman. They recovered after treatment with antibiotics.

The health department has been spraying 20 million gallons of a pesticide over the area, but Dr. Phil Butter, the state's health services manager, said the department's division of epidemiology and immunization, along with the county health departments, are still monitoring the situation.

AND, OFFICIALS SAY, there is the added worry that plague is spreading south toward Maricopa County, which includes Phoenix and more than half of the state's population.

When humans inhale bubonic plague germs, they contract pneumonia plague — the highly contagious “Black Death” that wiped out much of the population of Europe and Asia in the 14th century.

Symptoms include fever, nausea, swelling of the lymph glands and breathing difficulties, which turns the skin a purplish-black color.

Plague is fatal within three days if left untreated.

Sta Baker, the department's coordinator of plague control, said,”We're getting reports that the disease is spreading south toward Maricopa County, which includes Phoenix and more than half of the state's population. When humans inhale bubonic plague germs, they contract pneumonia plague — the highly contagious “Black Death” that wiped out much of the population of Europe and Asia in the 14th century.

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Detective won't tell about Egbert

By Diane Gentsch and Robert France

A Texas detective has said last night he will never reveal details of the mysterious disappearance last year of James Dallas Egbert II, who died in 1979. However, at no one has been identified as a suspect in the case.

Egbert was last seen by a private investigator who found the 17-year-old Huey Heights youth with his car, but never returned home, in September. As two police officers were searching the area, they found a note left by the youth, saying "I am going to make a trip to Mexico to see my father." The note was unsigned.

Egbert was not seen again. The police concluded that he had deliberately gone off the map. They told the family that they believed the young man had left the country and may have taken his car to another state. But they said they had no evidence to support this theory.

Egbert's father, Joseph, said last night: "I am not sure what happened. I don't know if he was killed or if he just had a change of heart. But I don't think he was killed."

Egbert's mother, Juanita, said last night: "We have no idea where he is. We don't know if he's alive or dead."

Egbert's brother, Daniel, said last night: "We are all worried about him. We have been searching for him everywhere, but we have not found him.

Nursing squeeze play:

By Mark Roth

The past year has been "absolutely horrible" for Patricia Young,

A registered nurse working 3 p.m.-midnight shift on a surgical floor at Good Samaritan Hospital, Ms. Young says she has been one of the many victims of a nationwide nursing shortage

She has had to work an increasing number of weekend shifts, she has been treated for back pain, she has been treated for stress-related problems, and she has had to work overtime more than once. "I can no longer do this," she said. "I can't take it anymore."

As Young and other nurses suffer from the shortage, so do their patients.

"When you have patients going into surgery, it's an extremely important part of your job to be able to stay with them," said Young. "It would be nice if we could have nurses to stay with them, but we can't.

I have very little time to do anything. I can take maybe five minutes to talk with them, but they have to pay for surgery, and that's it," Ms. Young said.

"The nurses have a right to expect good service when they're paying $100 an hour for a room," she said, "but I don't think they understand just how much work nurses have to do.

Dayton nursing survey

Dayton nursing survey

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The survey shows that nurses in Dayton are facing a significant shortage. The average nurse in Dayton earns $12 an hour, which is below the national average.

But nurses in other cities, such as Cincinnati, are facing even more severe shortages.

"The nurses in Cincinnati are making much more money than we are," said Young. "And they are getting much better benefits.

To attract nurses in this area, starting nursing pay went up over 50% in a year. And nurses in the more expensive cities are getting more money than we are.

But nursing officials generally agree that the increases are not enough. They note that the additional money hospitals are forced to pay out is offset by the higher cost of living in those areas.

The survey also shows that nurses in Dayton are not satisfied with their working conditions.

"The nurses in Dayton are not satisfied with the pay," said Young. "But they also want better benefits and more opportunities for advancement.

The nurses in Dayton are also not satisfied with the working conditions. They say they are not getting enough breaks and are not getting enough time off.

"The nurses in Dayton are not satisfied with the working conditions," said Young. "They are not getting enough breaks and are not getting enough time off.

But the nurses in Dayton are not satisfied with the working conditions. They say they are not getting enough breaks and are not getting enough time off. They are also not satisfied with the pay. They say they are not getting enough money to live on.

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Good Sam may be alone in Huber Heights

Cora M. Hughey, who has been acting director of the Dayton Convention Center since December, yesterday was appointed permanent director.

City Manager Earl Sterzer also announced changes in the city's top level administration, filling a vacancy left by the resignation of Lloyd Lewis Jr., assistant city manager for community services.

As expected, Richard B. Helwig, Dayton's assistant city manager for administrative services, will replace Lewis.

Paul R. Woodie, currently assistant to the city manager for research and development, will replace Helwig as assistant city manager for administrative services.

Mrs. Hughey, 37, began her city career with the Dayton personnel department in 1963. She was named assistant to the director of the convention center in 1974.

Irwin L. Ellis Jr., resigned as convention center director in December after three years on the job. City sources said he was asked to quit three months before turning in his resignation.

Sterzer said yesterday that the resignation of Lewis, who leaves April 7 for an executive job with the Dayton Power and Light Co., will allow the city to streamline its staff by eliminating Woodie's present position.

Helwig, 54, took his present assistant manager's position in 1979 and was director of finance from 1973 to 1979.

Elective courses dropped

Centerville schools return to class

By DON STEWART

Daily News Staff Writer

Centerville High School sophomore Linda Castiglione was intent on signing up for a Women's Literature course when she visited a counselor this month to make out her schedule for next year.

Innovative approach to course selection.

School board member Charlene DeCamp said, "It would say Centerville has moved to the center. Teachers used to more or less wing it on their own which left open the possibilities for gaps in education of children. I think that's being corrected."
County voters to decide public health levy in 1981

A public health levy will be submitted to Montgomery County voters in November. The county's health board yesterday voted "to go for it" in an effort to prevent drastic cuts in health services in 1982. It would be the first property tax for the county health board. The board's services in the past have been supported through contracts, fees and grants.

The size of the levy proposal has not been determined, said Robert Petrokas, Montgomery County Combined Health District administrative assistant, suggested that it would be $1 million, which he said would generate about $3.5 million a year.

That money would replace $2 million in state and federal grants, he said. The health district currently collects $1 million in health services contracts with the city of Dayton, the township of Centerville and other communities.

Petrokas said the financial pinch is because traditional sources of revenue — particularly federal aid and local payments for health services — have been steadily shrinking while operating costs rise.

The board has been meeting the levy on the ballot and again tabled the issue until the next board meeting because of a tie vote. The board was split 4-4 on the issue, with board President Martha K. Bynum and other members opposed to a long-range plan to spell out how the levy revenue would be spent. The board wants to be certain that voters recognize the need for the new money, Carrick said.

The board action was recommended by member Edward N. Rauch, board finance committee chairman.

"This is probably one of the most important questions that will be discussed in this building (county administration building) for sometime," he said.

"We're going to run out of money. Either we go for a levy or mandate less health care in 1982." Rauch said.

The board began last month to consider seeking approval of a levy. At that time, Petrokas warned that, unless "some big source of new revenue" is found next year, "in 1982 there's going to have to be some severe cuts in health services for the county."

Petrokas said the financial pinch is because traditional sources of revenue — particularly federal aid and local payments for health services — have been steadily shrinking while operating costs rise.

He said the county could be able to squeeze through 1981, mainly by not filling vacant job slots.

The levy issue was tabled to allow a new levy to be drawn heavily from the district's reserve fund, under the assumption that it will be used to help make up a projected 1982 deficit of more than $800,000.

No fuss County health board OK's Dayton's contribution

ROBERT PETROKAS, health district administrative director, said the city-county atmosphere also improved this year because officials from both sides negotiated face to face in December, instead of sending copies of widely differing proposed contracts back and forth.

Earl Stitzel, Dayton city manager, agreed that the proposed levy was the key factor that led to a quick agreement this year, and said health district officials also seemed to recognize the city was having its own budget problems.

The city's payment to the district this year is about $50,000 less than last year's, but is far more than the $700,000 which Petrokas said the city originally proposed.

The agreement also means that the city — for now — has dropped its earlier argument that the county should pay the city's share of health district expenses in return for Dayton's agreement to sell water to the county.

County officials had asked to buy city water for south suburbs because it would eliminate the county's need to build an expensive plant to remove iron and manganese from its southern water system.

If November's levy fails, though, Stitzel said the city will "retain its earlier position that we need a more equitable way of funding health district services to the city.

And he said that also could hold up a final agreement on city water rates to the county.

Boarding home care will be discontinued

The Montgomery County Combined Health District at the end of the year will shelve its program for licensing and assuring safe and healthy operation of boarding homes for persons released from the Dayton Mental Health and Developmental Center.

The county health board yesterday voted unanimously to end a moratorium on enforcing a 3-year-old "personal care boarding home" regulation because there is no money to pay for enforcement.

The operating funds, $30,000, have been lost because the health board has not had to come to terms on renewing a contract with the county mental health board, which supported the program.

The mental health board wanted the health board to put primary emphasis on finding new homes for boarding home legal advisers said that could not be done because it would be a conflict of interest to do both find homes and license them.

"The mental health board is now planning to fill in for the loss of the health board program by becoming the agent for enforcing Ohio's new personal care home regulations.

The county regulation was adopted in early 1978 because at that time there were no controls on the operation of the personal care homes. The state law was passed later that year, but the actual regulations were not ready to implement until this year.

Yesterday, Edward N. Rauch, the health board's finance committee chairman, said enforcing the county regulation — and ordering the layoffs of the program director and three part-time staff members — was "probably one of the most undesirable and unhappening things we could do."

"But effectively we simply have run out of money to run the personal care boarding home program," he told the board. "That being the case, we have no recourse."

The move was opposed by the Montgomery County Mental Health Association, the Five Oaks Neighborhood Improvement Association, the JRCO Priority Board, the Grafton Hill Association, the Lower Salem Business Association, the Metropolitan Churches United, the Northwest Boarding Home Ministry and state Rep. Edward J. Gerrett, D-Dayton.
Evening medical clinics resume

Service's future uncertain

But the center still faces a projected deficit of $20,000 at the end of this year, and may have a tough time justifying continued funding by the Montgomery County Health District and United Way, which supply about $58,000 of its $120,000 annual budget.

Phipps said his board is examining whether the center's services still meet the needs of its clients, who include far fewer "counterculture" people than when the center was founded 10 years ago.

"I would say there's still a question of whether we will continue to exist next year," Phipps said.

Much of that answer may depend on how much money the center can get next year, or if the levy district levy passes in November, he said.

The levy funds would substitute for the $20,000 a year that the center now gets through the health district in contractual payments by Dayton and other cities.

But Phipps said health district officials have been unwilling to negotiate a levy amount for the clinic, "which certainly doesn't make us feel very secure."

Rich Perrella, health district planning chief, said the belief is to settle on an amount for the

Infant dies of injuries suffered during car crash

A 5-month-old New Carlisle infant died yesterday as a result of a five-car crash Saturday that killed two persons and injured seven others.

Robert Alexander III died yesterday afternoon at Children's Medical Center of head injuries, a hospital spokesman said. The infant had been in critical condition since the crash.

center is simply due to delays in putting together final plans for allocating the levy funds.

But Phipps also noted that he thinks the center's mission needs to be analyzed — and possibly changed — before any health district funding decision is made. He refused to elaborate on what changes he had in mind.

Phipps said his board will probably decide the center's future late this year, after it has a better idea of its 1982 budget prospects.

The crash occurred south of New Carlisle at U.S. 60 and Ohio 571 when two cars collided and then crashed into three vacant parked cars early Saturday morning, the Ohio State Patrol said.

Beacher C. Stevens, 42, and his son Beacher Jr., 15, were killed in the crash. Four of the seven injured persons involved still were hospitalized.
It's become so bad she can't even escape the pressure by taking time off.

"They call you to come work during your vacation and on your days off — you just can't get away from the place," she said.

As Ms. Young and other nurses suffer from the shortage, so do their patients.

"When you have patients going into surgery, it's an extremely important part of your job to be able to sit down with them and tell them exactly what's going to happen to them before and after the operation.

"I have very little time to do that anymore. I can take maybe five minutes to talk with them, they sign the consent form (for surgery), and that's it," Ms. Young said.

"The American public does have a right to expect good service when they're paying $150 a day for a room," she said, "but I don't think they understand just how much work nurses have to do, especially paperwork and how bad the situation is.

"Believe me, I wish it wasn't this way. I didn't go into nursing to make people miserable."

Ms. Young's predicament isn't unique.

All hospitals in the Dayton area, and most across the country, are reporting an increasingly serious shortage of staff nurses, especially on evening and nighttime shifts.

Eight Dayton-area hospitals surveyed recently showed nursing shortages between 4 percent and 13 percent of the number of jobs budgeted for this year.

Overall, those hospitals employ 2,943 nurses.

Dayton nursing survey

<table>
<thead>
<tr>
<th>Hospital</th>
<th>Nurses employed</th>
<th>Nurses budgeted</th>
<th>Shortage</th>
<th>Starting Hourly</th>
<th>Salary Yearly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Good Samaritan</td>
<td>350</td>
<td>380</td>
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<td>$6.80</td>
<td>$14,144</td>
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<td>759*</td>
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<tr>
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<tr>
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<tr>
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<td>7.1%</td>
<td>$6.67</td>
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</tr>
<tr>
<td>Children's</td>
<td>175</td>
<td>190</td>
<td>7.9%</td>
<td>$6.67</td>
<td>$13,874</td>
</tr>
</tbody>
</table>

Temporary nurses reduce the overall available for further pay hikes to full-time staff nurses.

"They talk about wanting a professional nurse to have a baccalaureate degree. That's fine by me. But I'm not going to invest anywhere from $12,000 to $20,000 for four years of education and then come out to be paid $6 an hour for shoveling beds,"

Because of the decreasing number of nursing school graduates, hospitals are seeking ways to attract nurses who have left the profession.

Good Samaritan and Kettering hospitals already have programs to lure these nurses back into the profession by offering them flexible hours and one-on-one training in return for slightly lower pay than full-time staff nurses.

Children's Medical Center is developing a similar program to start early next year, Ms. Goodell said, and is also planning to help nurses make day-care arrangements for their children.

Ms. Chinn doubts whether the overtures to out-of-work nurses will be successful unless there are also substantial improvements in pay and working conditions for hospital nurses.

"The women who have left the nursing profession aren't just doing it to raise families. Most of those nurses have since become involved in some other kind of work to supplement family incomes, and until it reaches the point that a nurse can make more in the hospital than she can as a checkout clerk at a grocery store, that's not going to change," Ms. Chinn said.

That makes it very important to keep the nurses who are left working at hospitals and reduce the high annual turnover rate, which one national study pegged at more than 50 percent.

For some reason, I am having trouble making sweet cucumber pickles. When I put them in the sugar solution, they shrivel up and get soft. What am I doing wrong?
Class offers emotional support to parents of newborns

By BRENDA ZIMMER
Staff Writer

A parenting class offered by South Community Mental Health Center and the Dayton Childbirth Education Association this fall will not be a "how to" class, according to parent project coordinator Kathy Shipley.

"Although not new — the class began in 1980 — Shipley says it is unique. It's a 'how to' class, which I think makes ours unique," Shipley says. "Ours is more of an emotional support group."

Another unique feature of this parenting series, says Shipley, is that both parents are encouraged to attend — as well as the baby. The classes are for parents of children newborn to 1 year.

Fathers are encouraged to attend because they want to, and are becoming more involved in the parenting process, Shipley says. From attending childbirth classes to taking photos in the delivery room, the father wants to be involved in all phases, she says.

"Parents are encouraged to bring their babies for a couple of reasons. One, most parents don't want to leave their newborns at home with a baby-sitter right away, so it relieves anxiety. Two, it gives the parents a chance to see older babies and how they act at different ages," Shipley says.

SHIPLEY, the mother of a 12-year-old boy and 19-year-old girl, says she understands the needs and concerns of new parents having been somewhat taken aback by her first child.

"She says she walked the halls countless times checking on her son to make sure he was still breathing and nursed her baby so often she exhausted herself. On top of that, she says, "I felt put upon without my career. I lost my identity and I felt I had no time for myself."

"I suddenly was just a mother," she says. "But you still have the housework, the laundry, the husband and the baby," she says. "You're tired from the baby and your life is so completely upside down. After three weeks they all stop coming. That's when you need someone to talk to."

And that someone isn't always to be found, Shipley says.

"We live in a mobile society," she says. The idea of the aunt who used to live around the corner doesn't exist very often, Shipley says.

"Most of what we are doing is a support group type of thing where parents can get in there and open up for discussion," Shipley says.

"No matter how old a child is, you need someone to talk with."

While Shipley is the coordinator for the series, she says that after the third week she more or less becomes an observer. "The parents begin to teach each other," she says.

Although she has never suspected any of the participants to be child abusers, there is a national concern on the issue, and Shipley believes the class can be a preventative measure.

IF A LIFESTYLE has changed drastically enough and a parent is under enough pressure and there is no one to talk with, it can become too much, she says.

"I try to get the parents to make a strong family unit. We want the parents to get out some of these concerns — to understand it's normal to resent your husband, your mother-in

linic loan approved

A $357,000 loan to expand a medical clinic in Dayton moved ahead Monday as Wide Development Corp. was approved by the necessary financing by the City of Dayton.

Wide approved a $283,000 loan to White Practice Center Inc. The money must be approved by the Business Administration.

City-Wide also approved a $15,000 working capital loan to William Lewis, manager of the Billy Lewis women's store downtown.

The loan, which also must be approved by the Business Administration, would help Lewis acquire ownership of the store from Louis Goldman, a local investor who helped build the now-defunct chain of Gold-

Business leaders to support this law

With downtown's go blow down and out, the need for success becomes more vital than ever in the Mount Vernon area. Business leaders and heads of the chamber of commerce in the area — from East Union to West Union to the state line in between — are preparing a legislative agenda to support the downtown for the new state session, which begins this week.

The agenda will include a series of bills that would provide tax breaks for businesses that locate downtown. The legislation will also seek to create a downtown tax increment financing district, which would allow property owners to capture a portion of any value increase of their property for use in downtown.
In your opinion

Health district not delinquent in phone costs

Your editorial of April 27 mentioned that the
Montgomery County Health District was
found by the county auditor to be delinquent in
phone costs. The auditor found that employees of the
district were charged for personal phone calls.

Health district head Dr. Robert A. Vogel said the
district is better off for the revelation.

"We have a new accounting system that
will keep track of phone calls," he said.

The district has been using a system that
charged employees for every phone call, but
the new system will allow the district to
keep track of phone calls made for
business purposes.

The district has already changed its
phone system and is now using a system
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# Taxpayers Read:

When asking for a statement of taxes, remember that property appears on the county treasurer’s books in the name of the owner as of October 31, 1982. Postage must be enclosed for reply.

When calling in person, BRING LAST TAX RECEIPT. Be sure that your tax bills cover all of your property. It is the obligation of the property owner, or person who is liable for the taxes, to see that he receives his correct tax bills. The County Treasurer's office closes on all legal holidays.

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## Office Hours:

8:00 A.M. to 4:00 P.M. DAILY

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**Joe Shump**

Treasurer

Montgomery County, Ohio
anger panel

Californian likes succeeding Vogel

By D.J. Hill
Staff Writer

While a search committee for the Combined Health District of Montgomery County was the fortunate of Nelson's credentials, the California physician says he was checking out the district. "I found out that Montgomery County had an outstanding reputation among public health officials," Nelson said.

So, Nelson said Tuesday that he welcomed the district's offer to become its commissioner.

He said he also liked the idea of following Dr. Robert A. Vogel, who will have stability. I will be pleased to follow Dr. Vogel," he said. Vogel, 63, will remain as a consultant to the health district from Aug. 1 through the end of the year.

"That's outstanding because that will give you a very orderly transition. I'm most appreciative for any help he can give me," Nelson said.

Dr. Herman Abromowitz, president of the board, announced Nelson was the unanimous choice at a party conference Tuesday. The decision will be official at this afternoon's board meeting.

Nelson said he did not have to make a decision. He was a director for the family practice residency program at United Western Medical Centers in Corona del Mar, Calif.

He has been a public health physician for the Los Angeles City Health Department and a medical consultant for the California Rehabilitation Department.

He was also assistant county health officer for the Alameda County Health Department, which includes part of the San Francisco metropolitan area. And Nelson was county health officer for the Orange County Human Services Agency where he directed a staff of more than 700 in public health and preventive medicine and was 300 and a budget of about $10 million.

Nelson has no immediate plans for changes in the health district. "Just looking things over, I was very pleased. The district seemed well-run," he said.

Nelson, originally from Minnesota, has lived in California since he was 10. He and his wife, Lois, have wanted to move to the Midwest or East Coast, Nelson said.

In California, the Nelsons have lived in the same house for seven years, but they have had four neighbors in the house next door during that period.

"We want to have roots. We want to..."
Discontinues funds emergency program

The program would enable a physician in a hospital to provide directions to paramedics in the field via UHF telemetry radio, Hanna said. The UHF system would have eight channels to transmit voice instructions and medical data between hospital and ambulance, he said.

Federal instructions said such a plan only "had to be conceptualized in this grant year," Hanna said. "We thought we had satisfied them on this point."

OTHER REGIONAL EMS programs have communication and medical control plans that differ very little from WOEMS's yet these programs were funded, Huntington said.

"It appears that HEW's disapproval of our project, particularly in light of its high ranking in the review process was unfair and capricious," Huntington said. WOEMS has directly trained 40 percent of the cardiopulmonary resuscitation instructors in Montgomery, Greene and Preble counties and 43 percent of the CPR instructors in Campbell, Clark, Clinton, Darke, Miami, Shelby and Warren counties, according to the agency.

WOEMS-trained instructors provided CPR training to an additional 5,050 persons in the 10-county region in 1977 and trained 5,100 persons in first aid for choking in the last two years, according to agency figures.

Hanna said the agency is seeking other sources of funding.

Junior hearing waived

Two police detectives have waived a preliminary charge of grand theft and the case will be turned over to the Montgomery County prosecutor.

120 Stone Quarry Rd., had been with the department seven years, has been free without bond since his initial appearance July 8 before Judge James R. Hoyman of Montgomery County District Court No. 2.

Melton resigned two days earlier after he had been arrested and charged with taking about $1,000 in evidence from a December bank robbery, along with guns and narcotics from the evidence room. The guns and drugs were to have been destroyed.

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board needs levy to retain services

afford, by approving the resignation of all 15 employees.

THE BOARD ALSO approved the layoff of two employees of its alcoholism program and the termination of a contract with a third. Two other positions vacated because of resignations also won't be filled in an effort to offset an $81,000 loss of funds, Petrokas said. The program already has reduced its beds, available to persons without insurance or other coverage. It is considering moving because of an increase in rent proposed by the Ohio Department of Mental Health.

Petrokas said that without passage of a levy the board will have to look at laying off about 75 more employees in 1982.

As the board members examined the budget, Petrokas asked them to look at several options when they consider what to do in 1982. Petrokas recommended that they look at salaries to help narrow the gap between employee wages. He also suggested the board look at putting a ceiling on escalating health insurance costs — a move which brought the city of Dayton to the brink of an employee strike when it was suggested earlier this year. Petrokas also called for a reassessing of environmental health and air pollution control programs, both of which place a drain on local resources.

PETROKAS ALSO RECOMMENDED the board scrutinize its alcoholism program, which may be competing with detoxification programs at Miami Valley and Good Samaritan hospitals at a time when the district cannot afford to duplicate services.

Some thought should be given to combining neighborhood health centers, he suggested.

The board also may have to look at raising fees for some services and charging fees from some services now provided at no charge, board member Edward N. Rausch said.

In other action, the Regional Air Pollution Control Agency presented its proposal for revising air pollution control regulations for Montgomery County and announced a public hearing for Aug. 4 on the changes.
ON health com-
Wahl's ques- tioned
board or
Lebanon
per at the
meeting.
He raised the question during the
customary executive session
preceding last month's board
meeting.
State law requires the health
commissioner to be a licensed
physician, dentist, or
veterinarian, or to hold a
master's degree in public
health.
Wahl has a master's degree in
health administration.

An attorney general's opinion,
rendered in March in response
to a request from Greene
County, quoted the section of
state law (Ohio Revised Code
3709.11).
Several opinions on this topic
have been made by attorneys
general through the years, and
some of them have held that
a person with "equivalent"
educational qualifications could
serve as health commissioner.

"Local Determination"
Because of these opinions,
local boards of health have had
some latitude in determining
whether a candidate for health
commissioner is qualified by
educational background.
"It has been left up for local
determination," Wahl said
during discussion Wednesday.
"When I was hired, it was
determined that I was
qualified," he added.

He agreed with Heery
however, that the latest attorney
general's opinion was a strict
interpretation of ORC 3709.11
and made no provision for
"equivalencies."
"I discussed this with a state
legislator, and the regulation
(3709.11) needs to be changed,"
Wahl said. "There is a proposal
in the legislature to broaden
qualifications for health
commissioner, he reported.
"It might be two years before
something happens," Heery
responded. "Somebody has to be
health commissioner who is
qualified."

Contingency Plans
Dr. Fred Guenther of
Springboro, president of the
board of health, said, "I think I
mentioned (at last month's
executive session) that we'd
have to face this situation and
make some contingency plans
(if Wahl was ruled
unqualified)."

Contingencies Dr. Guenther
mentioned might include
elevating a board of health
member (two are physicians
and two are veterinarians) to
health commissioner, or
changing Dr. Ray Simen-
dinger's title of medical director
to health commissioner and
changing Wahl's title to ad-
ministrator.

"Somebody's got to get this on
the track," Heery persisted.
"Suppose someone questions
the salary (paid to Wahl). There's
a lot of angles on this thing."

Wahl suggested that the board
consult with county prosecutor
Morris J. Turkelson to see what
his current view is of the
situation.

"The attorney general has
made an opinion, and it's pretty
black and white," Dr. Guenther
said.

"We could be in serious
trouble," Heery contended. "A
taxpayers' suit could be brought
on the question of salaries."
Dr. Beverly Ungerleider,
vice board member,
Employee Sues Over Her Dismissal

A total of $25,000 "punitive and exemplary" damages from Wahl individually, plus attorney fees and legal expenses. The complaint charges that Wahl abolished Mrs. McCurry's job as health aide II last June, while she was recovering from cataract surgery, and that Wahl did this without obtaining required approval of the board of health. Abolishment of the job was overturned later by the state personnel review board following an appeal to that agency by Mrs. McCurry.

The board of health appealed that decision to the common pleas court in Columbus (Franklin County), a and judge ruled in favor of Mrs. McCurry March 28.

The board of health had allowed her to return to work last Oct.


survey shows health care misconceptions

GARRETT MILTON
Washington Staff Writer

A survey of residents of the county shows that many of them are unaware of certain programs that we provide."

THE SURVEY SHOWED that only 38.5 percent of the participants were aware of the Vogel clinic and the majority of them felt the facility was "not useful."

Dr. Inder P. Khara, who directed the survey, said that he was not shocked by the findings. He said comparable surveys in other metropolitan areas showed people generally believe there is a stigma associated with participation in government-financed health programs.

The local survey was based on questionnaires answered by 599 people from Dayton, and Montgomery and Greene county, and Khara said. Questionnaires were mailed in May 1979 to 750 people on a Wright State consumer panel, and 50 Daytonians selected at random.

Vogel said the health district has hired a Wright State marketing student, an assistant of Khara's, to help analyze the findings and work with each department. He said the survey will be used in developing the health district's five-year plan for 1981 to 1986.

HE SAID THE DISTRICT would consider whether some services need to be cut back or eliminated, and others expanded.

Of those surveyed, 41.4 percent said they found the immunization clinic useful to them, the highest rating given any of the services. Headed the "least useful" list was health information, cited by 31.4 percent.

The most frequent reason given for contact with the health district by those surveyed was to obtain birth and death certificates, with 27.7 percent. After that, 17.7 percent said they had blood pressure testing, 10.9 percent had visited the tuberculosis clinic and 8.8 percent had used the immunization clinic.

The services listed as the least used by the respondents were the Hawthorne School program for unwed student-parents, occupation therapy, hot meals delivered to the sick and elderly's homes, alcoholism treatment, and prenatal care.

ALSO, AT THE meeting, the board approved its contract with the city of Dayton for 1980. The city has granted the district $1.44 million, the same amount as last year.

Vogel said he has heard that the federal government may also hold its allotment at the same level as last year. The federal government normally provides 34 percent of the district's $8.5 million annual budget.

Vogel said 70 percent of the district's budget is provided to state-mandated services, such as inspections, but the state provides less than 1 percent of district funds. The rest comes from the townships and other revenues.

If the district's funds do not increase, he said, it will mean some job losses through attrition and, consequently, decreases in services. The largest impact would come in 1981, he said.
Debt closes diet clinic

The Physicians Weight Loss Centers, 5450 Far Hills Ave., Kettering, was placed in lien by the Dayton Newspapers Inc. and closed late afternoon.

Ayon Deputy Bailiff Stan Creekmore said that "No Trespassing" signs were placed on the three doors to the business and all locks wereiced.

According to Creekmore, the Physicians Weight Loss Centers owed the DNI $27,468. If the owners — Robert and Joyce Kramer — do not pay their debts, Creekmore said his office will sell all the goods, fixtures and equipment in the office at a public auction. The receipts from the auction would be turned over to the DNI.

The Physicians Weight Loss Centers was listed in the writ of execution, dated Aug. 16, as the Tiffany Corp.

Arboretum workshop offers canning tips

So many were interested in the last food preservation workshop, Cox Arboretum is offering it again. Everyone interested can attend "Preserve It Right — Canning, Freezing and Drying" at the arboretum on Saturday, Aug. 27, at 10 a.m.

Chris Olinsky, a home economist agent with the Montgomery County Cooperative Extension Service, will discuss the three methods of preserving foods — canning, freezing and drying.

Olinsky also will speak about properly filling and packing jars and the different types of equipment needed for food preservation. A pressure canner, plastic bags and a conventional oven are the basic equipment necessary for home canning, according to Olinsky.

Cox Arboretum is located at 6733 Springboro Pike, one mile north of Ohio 725. The arboretum is operated by the Dayton-Montgomery County Park District. For more information, call 434-9906.

County cost plan criticized

By D.J. Hill

Staff Writer

Health officials said Wednesday that they don't have the money to absorb the cost of air pollution control and housing code enforcement from the Montgomery County Commissioners.

"It's the old passing the buck," said Dr. Robert A. Vogel, who left the job as health commissioner Monday, but remains as a consultant to the Combined Health District of Montgomery County.

"Now they're trying to pass the cost along to us."

County officials have proposed not supporting the program next year to save costs. The county commission's 1983 contribution to air pollution control was $100,000, and the housing code enforcement contribution was $245,000.

Dr. Morton Nelson, Vogel's successor, said the money that the county commissioners have spent over the years for air pollution control and housing inspection was "well spent" and a minimum investment for the county.

In a letter to Vogel last month, County Administrator Cland-d D. Malone said the county planned to withdraw its contribution to the air pollution and housing inspection programs run by the health district.

Malone suggested that the health district use part of the revenue it receives from a levy approved by voters last year to cover the air pollution control and collect fees from local governments to pay for housing inspection.

However, health board members on Wednesday authorized Dr. Herman Abramowitz, board chairman, to tell Malone the health district cannot pick up the costs of the two programs.

Abramowitz said that the district's 0.75-mill levy is being used to maintain services and that there isn't money remaining to take on more programs.

The county commission refused the health district's initial request for a 1-mill levy and would authorize only .75 mills, a point noted by Vogel Wednesday.

"If they had let us have the 1 mill, maybe we would have the money," Vogel said. "But, no. The commissioners and the businessmen community decided we didn't need but three-quarters of a mill."

Ever since we have had that levy, they (county officials) think we have more money than we know what to do with over here."

Vogel said that health officials would meet with business leaders and chambers of commerce to see how they would suggest the county pay for air pollution control. The health district could charge industries for the cost of air pollution inspection and monitoring. But, some businesses could be stuck with a tab as high as $4,000 a year, Vogel said.

"Basically, I think it's the business community's decision," Vogel said. "If they don't think they need air pollution control for the local community, then let them decide not to pay it."

Malone said later Wednesday that if the health district discontinued its program, then businesses would have to deal directly with the state air pollution control program.

The housing program includes inspection of property considered to be a nuisance or health hazard. The health district has the authority to order landowners to either clean up the property or
County health tax levy
back on ballot in June

By D.J. HILL
Daily News Staff Writer

The Montgomery County Board of Health began facing up to 1982 budget cuts Wednesday, but also decided it would try again next June to gain voter approval of a 1-mill property tax levy.

The board decided to withhold across-the-board salary increases for staff next year and eliminate its reserve.

But that is just the beginning. The big decisions come Dec. 16 when the board meets in a special session to adopt a budget.

BOARD MEMBERS left the Wednesday meeting unhappy and still unsure of some key factors: Are any more federal cuts coming after January and will the city of Dayton cut in half its support of the health district in 1982?

The board decided to put the levy on the June primary ballot, with a possible repeat in August or November should it fail in June.

A 1-mill property tax means $1 in taxes for every $1,000 in taxable valuation, which the state defines as being 35 percent of actual market value. Thus, a 1-mill levy would translate into an additional $14 a year in taxes on a typical house with an official county market valuation of $40,000.

The Montgomery County Combined General Health District narrowly lost its bid last month to win passage of a levy which would have generated $3.7 million and eliminated the need for local governments to contribute to the district.

THE BUDGET projections first presented to the board Wednesday showed a deficit of $1.08 million or $1.71 million in 1982, depending on whether Dayton cuts its $1.32 million reimbursement to $726,000 next year. Those figures don't take into account federal cuts which might come down the road.

The board erased at least $500,000 of that deficit by deciding against the staff's annual salary increases and eliminating its $300,000 reserve.

The staff will be working during the next two weeks to find ways to erase more of the deficit.

The board tabled a proposal by Gregory Rozelle, administrator of personal health programs, to raise fees for immunization, tuberculosis testing and venereal disease clinics. Some fees could more than quadruple if the board accepts his proposals.

FOR EXAMPLE, if his suggestions were adopted, immunization for overseas trips would go from $5 to $20, and costs for a visit to the venereal disease clinic would go from $5 to $25.

His proposal also would eliminate night clinics downtown while maintaining them at neighborhood centers. Rozelle also recommended elimination of flu shots for senior citizens since the federal and state governments no longer buy the vaccine.

Rozelle said his department is looking at some program changes, such as trimming hours, but a drastic cut in money from the city of Dayton could mean the elimination of some programs or sites.

The revenues from Dayton and the federal government also will affect how many people will be laid off. After the board finishes its business Dec. 16, the administration plans to begin handing out two-week notices.

THE BOARD tried everything it could Wednesday to scrape up money. For example, it decided to ask the County Commission to waive its $17,000 per month rent at the Sunrise Center. It also voted to reconsider its contract with Good Samaritan Hospital for services it provides at Vogel Health Center. The hospital will be asked to share in building costs and to stop charging the health district for nonpaying patients seen in the ambulatory clinic.

Health Commissioner Dr. Robert Vogel said, "We will be operating in 1982 on a month-to-month basis."

 Dayton Daily 12/05/81