

**Minutes of the Dispute Resolution Commission**  
**Convened Under the Ohio Director of Health Stay-at-Home Order**  
**April 16, 2020 – 4:30 p.m.**

**Participating:**

Lydia Mihalik, Commissioner  
Sheryl Maxfield, Commissioner  
Sam Randazzo, Chairman

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Chairman Randazzo called the third meeting of the Dispute Resolution Commission to order.

Chairman Randazzo called the roll. All three Commissioners confirmed their participation.

Commissioner Maxfield moved to approve the minutes from April 9, 2020. Commissioner Mihalik seconded the motion. The minutes were approved.

Chairman Randazzo announced that there were three requests before the Commission, two that had been deferred and one additional.

Chairman Randazzo explained that the first request regarded a beauty supply store and whether the store was essential based on the sale of essential products. He stated that the store sells face masks, latex gloves, antibacterial soap, and hand sanitizer. Chairman Randazzo summarized the Commission's opinion: that the store may remain open if the sale of nonessential goods is incidental to the essential activities, and the business's essential status will be lost if the sale of nonessential goods becomes more than incidental.

Chairman Randazzo explained that the opinion on the second request determines that mulching services are essential and within the scope of landscaping, which has been defined as essential.

Chairman Randazzo reported that the third request dealt with a store selling tobacco products. He explained that the Commission's opinion focuses on the store's sale of food products and non-prescription medications. With regard to these products, the Commission determined the store is essential as long as the sale of these products represents the substantial portion of its business.

<b>Request Number</b>	<b>Title</b>	<b>Vote</b>
OH006	<i>In re Star Beauty Plus</i>	Approved, moved, and seconded, vote 3-0
OH010	<i>In re GroundsPRO, LLC</i>	Approved, moved, and seconded, vote 3-0
OH025	<i>In re CR Butts</i>	Approved, moved, and seconded, vote 3-0

Chairman Randazzo commented that: (1) the Commission's jurisdiction is limited to disputes between local health departments and (2) requests may be brought by one of those departments or affected businesses. Chairman Randazzo summarized the previous Commission opinions on car washes (deemed essential so long as certain precautions are taken), pet grooming businesses (deemed non-essential), and CBD products (deemed non-essential). He explained that further requests regarding these types of businesses would be decided consistently with the Commission's prior opinions, unless there are significantly different facts and circumstances. The Chairman said the Commission has received requests outside of its jurisdiction, such as requests for guidance where there is no dispute between local health authorities. He explained that such requests would not be decided by the Commission. Finally, Chairman Randazzo commented that Commission opinions may not be necessary when parties to a dispute come to a resolution on their own.

Chairman Randazzo stated that the Commission would likely meet next on April 20, 2020.

Chairman Randazzo reiterated that information on the Commission process, including a notice of the next meeting, would be available online.

The Commission adjourned.