



UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE
 PROVO, UTAH 84601

MINUTES January 23, 2017

Members Present:			
Mayor Jeff Acerson, Chair	X	Teresa Tavares, Vice Chair	X
Gaye L. Ray, RN	X	Daril Magleby	X
Superintendent Rick Nielsen	X	Diane Lohner	X
Dianne C. Carr	X	Commissioner Greg Graves	X
Henry M. Yeates, MD	X		

Others present:

Ralph L. Clegg, EHS, MPA UCHD Executive Director
 Julie Dey UCHD Secretary

Number of people in attendance – 10

1. Welcome and introduction of new board members by Teresa Tavares, Vice Chair

Teresa Tavares welcomed all and introduced Daril Magleby who is replacing Clyde Nielsen; Commissioner Greg Graves who is replacing Commissioner Larry Ellertson; and Nebo School District Superintendent Rick Nielsen who is replacing Provo School District Superintendent Keith Rittel.

2. Approval of the Minutes from November 28, 2016

MOTION: Diane Carr made the motion to approve the minutes which was seconded by Diane Lohner and passed by unanimous vote.

3. Election of a Board Chair and Vice Chair for 2017

MOTION: Commissioner Graves made the motion to elect Jeff Acerson as Board Chair and Teresa Tavares as Vice Chair which was seconded by Diane Carr and passed by unanimous vote.

4. Ratify minor change to School Health Policy dealing with communicable disease in the school/daycare setting

Steve Mickelson, our Nursing Division Director FPH, UCHD, explained that school nurses can use the list of symptoms from the School Health Policy for communicable diseases and can exclude a student from school. One of the items has been changed in the policy. It now states, "Fever 100 degrees or above." Gaye Ray explained the current literature states 100.4. Steve explained that the policy attempts to put definitions and guidelines the school nurses can use. The school nurses use temporal scan thermometers with digital readings and are very accurate. Diane Carr asked Dr. Henry Yeates his opinions if this was reasonable criteria. Dr. Yeates recommended 100.5 degrees. Rick Nielsen asked, "What is the application of the policy?" Steve explained that this is guidance for school nurses to know when a student needs to go home due to symptoms. This becomes a document and reference to guide the decision to exclude a student from school. It is not a tool to try and keep students at school or to keep students out of school. The policy can be applied to specific situations as they arise.

MOTION: Gaye Ray moved to change the fever policy to 100.5 degrees. Commissioner Graves made the motion to ratify the minor change, but amend the change from a "fever of 100 degrees" to a "fever of 100.5 or above." Gaye Ray seconded the motion. Eight board members in favor, one opposed (Teresa Tavarez).

5. Review of Health Department Organization Chart, Mission, Vision and Values

Ralph Clegg, Executive Director, UCHD explained that every year the organization, mission, vision and values of the Health Department are reviewed with the Board of Health. The Utah County Board of Health is the health policy board for the Health Department as it pertains to health policy. The County Commissioners are the appointing board to appoint the members to the Board of Health. The Health Department functions as a department of Utah County government. Because of that, our personnel policies, rather than go through the Board of Health, come to us from the County government and this includes many of our financial policies as well. Offices of Utah County government support the Health Department including these offices: Attorney, Auditor, Personnel and Treasurer. Ralph then reviewed the positions in the Health Department found on the organization chart. The Health Department has almost 200 programs that it administers.

Ralph explained the vision of the Utah County Health Department is "Healthy People in Healthy Communities." The mission statement which states, "Promote health and prevent avoidable disease and injury by monitoring the health of our community, responding to public health emergencies, and assuring conditions in which people can be healthy." However, that doesn't mean the Health Department provides all the services of the mission statement. Many of the services in public health are provided by a variety of community agencies. The Health Department cooperates in helping to organize the services with community partners. An example is the Community Health Center that was started with an effort of the Health Department, Intermountain Healthcare and UnitedWay which provides primary care services for many people who can't afford care. Also, the Volunteer Care Clinic was started with efforts of

the Health Department, Intermountain Healthcare, UnitedWay and the Church of Jesus Christ of Latter-day Saints to provide service for those who cannot afford any payment.

Part of the Health Department's monitoring of the health of our community is going out and asking community members what they think are the most important things to focus on. The Health Department is currently in this process now. Much of what we do is to try and *prevent* disease. The *treatment* is left to the private sector largely, except for tuberculosis and sexually transmitted diseases. Beyond that, the treatment is in the private sector.

The staff of the Health Department are reminded as they deal with customers and clients to use our values even in difficult circumstances to be sure they are treated with respect.

6. Presentation on the Utah County Environmental Crimes Task Force

Representing the Utah County Attorney's office were Carl Hollan, Deputy County Attorney and Sargent Greg Knapp. They presented the progress of the Utah County Environmental Crimes Task Force. Steve Alder, Bureau Director/Environmental Health Division is the staff member from the Health Department who is also on the task force. This presentation led in to the next item on the agenda.

Carl explained to the board that the name is not yet settled for the task force because the Environmental Crimes Task Force isn't just necessarily to investigate environmental crimes, but it should also coordinate a response for any type of environmental or health issues that arise in the County that are overseen by the Health Department.

The task force is modeled after programs in Salt Lake and Davis counties. Salt Lake has had their task force in place for approximately 28 years. It has grown to be a large program. One of the goals of the task force is an attempt to increase enforcement of health violations in Utah County and to coordinate a response between federal agencies, state agencies, county agencies and city agencies. The goal being to have the decision makers from these various agencies know who to contact so that efforts can be coordinated to provide a united front. Similarly, a lot of County ordinances and health regulations that are in place that the Health Department is being tasked with enforcing are actually enforced by local city police because they are misdemeanors and are prosecuted by local city attorneys. It is important that we have the cities on board so that we are making sure there is continuing enforcement.

The other issue is that Utah County is becoming bigger and bigger population wise, but smaller and smaller in space. If you have a corporation that is offending in Provo City, it is likely they are offending in Orem City as well. When a city finds an issue that impacts the environmental health of their citizens, we want this task force to be a place for the city to come and report so that nearby cities can also be on the lookout for these things. If there is someone offending across multiple cities, we can make sure to bring that unity and enforcement aspect.

Carl and Greg gave examples of food trucks operating without permits, without food handler permits, and without a business license. They were licensed for Salt Lake County but had not

obtained licenses for Utah County. The food truck owner was educated on the need for a permit to operate in Utah County so that they could legally operate. Some of the issues that arise with food trucks are inadequate cleaning features of clean water and waste water, and many times there won't be a system for washing hands or utensils. The temperature regulation is also an issue because refrigeration units are heavy and expensive as well as heating units. This is an area where there have been many violations.

Commissioner Graves posed the question, "Why would we want to over regulate?"

Carl Hollan answered, "It is not over regulation, it is enforcing the regulations that are there. If they have a permit, they can operate. I don't know of an instance where someone with a permit was failing."

Commissioner Graves, "It needs to make sense that we are not putting all these business owners who are supporting their families out of business and that it truly is just a safeguard for people and that we aren't looking for more ways to regulate and make a couple bucks on a permit fee and things like that."

Diane Carr indicated that it needs to be fair to both sides, meaning that food trucks and restaurants need the same regulations so they are not taking away each other's business.

Diane Lohner reminded the board members that at previous meetings they have reviewed and approved the fee schedule for these things; and the fees are not going to put them out of business. It is a fair fee for the work that the Health Department does.

Bryce Larsen, Environmental Health Division Director, UCHD explained part of the reason the food truck owners are feeling beat up is because when they go to each of the different cities, each city has its own requirements and fees.

Greg Knapp explained that with any restaurant operating in Utah County (whether it be in a vehicle or in a store), we have the responsibility at the Utah County Health Department to make sure that it is safe. If a food truck here in Utah County is licensed and has done everything right goes to Salt Lake County, they have the exact same problem there. We have the responsibility for Utah County, and Salt Lake has the responsibility for their county to make sure anything operating within their jurisdiction is safe. That is what we are trying to do here.

Commissioner Graves, "Perhaps we have a partnership potential where we mirror the Salt Lake county business license and regulations. Where we are protecting the safety of everyone."

Jeff Acerson suggested from a city's point of view, the County should verify these applicants/food trucks who are legitimate and give the list to the cities so the cities are aware the food trucks have been through the process. That way the city knows the food truck is vetted and safe. Then the city can just focus on the business license.

Bryce Larson explained the cities will not sign off on a business license until they are sure the requirements have been met of the annual restaurant/food truck permit issued by the Health Department

Carl gave other examples of the task force successes with issues concerning a public pool, a meth house and septic trucks discharging waste into the ground.

The goal for the task force is to know what tools are available and to be a resource for all the different agencies dealing with public health issues so that they can solve problems. We have currently a Utah County task force where we invite all the cities and all of the local people as well as state and federal people to come and discuss the problems we are facing so we can solve them from a united front with all agencies who have an interest. We invite all city officials to come. The task force meets quarterly and the meetings are kept to an hour. The task force will evolve. Our environmental scientists and inspectors will need to be trained on proper inspection and the gathering of evidence and educating people so people will know what is expected. We always want to give the business owner the benefit of correcting their own mistakes before we ever issue any sort of letter or notice. Over the next several years, we will review and revise some of our local health regulations. With this task force, we will create communication bridges and communication trees so the proper agencies are called when there is a problem. The task force will educate all the agencies about the program and services are available on things like household hazardous waste.

7. Set a date, time and place for a public hearing regarding the adoption of a regulation for the hearing of administrative actions for Health Regulation 17-01.

Carl Hollan explained the proposal today is to set a date, time and place for a public hearing at the next Board of Health meeting on the draft of Health Regulation 17-01. In the interim, if board members have any suggestions on revision, please communicate them to Carl. Julie Dey will provide Carl's email address to the board members.

Carl explained and clarified the points in the regulation such as the members of the board shall be appointed by the Board of Health. The board will consist of five general members comprised of a medical professional, attorney, a member of the board of health, an academic professional specializing in the public health field and a member of the public at large. There will need to be a minimum of three members for a quorum. A hearing board will act just like a court. They can call witnesses and present evidence. People can come in without an attorney, they don't need to be a professional to present the evidence they have. The board will have open and public meetings.

We expect that in 95% of the cases a settlement agreement will be reached thus eliminating the need for multiple hearings.

MOTION: Gaye Ray made the motion to set a date, time and place for public hearing of Health Regulation 17-01 at the next Board of Health meeting on March 27, 2017 at 4:00 pm at this location

(151 S University Avenue, Room 2500) which was seconded by Daril Magleby and passed by unanimous vote.

8. UALBH Steering Committee Report

- Ralph distributed a list of legislative bills to watch.
- January 28, 2017 - Eggs and Issues at 7:15 am in the Clark auditorium north of the UVRMC.
- February 4 and 28 - Bills and Bagels 7:30 am the Nebo District offices.
- Joint meeting with the Utah Association of Local Boards of Health. We talked about the legislation and did some planning and prioritizing together. The Local Boards of Health is in the process of updating its strategic plan and by laws. They are planning their symposium. If members of the board have something they are interested in hearing at the symposium, let Diane Lohner or Dianne Carr know.

9. Constituent Feedback

10. Employee Changes

Employee changes were reviewed with the board. Employee changes have been routine.


11. Other Business

State law requires that public boards receive training at least once a year on the Open and Public Meetings Act of Utah. Carl Hollan provided a refresher and the following is a summary.

- Meetings are open and public, and we must give public notice of the issues that will be discussed and/or passed prior to the meetings.
- Outside of Board of Health meetings, we should not have communication between board members on items that will be voted on. Deliberation should be public with other board members. If there is an item we are acting on, please save your discussion for the meetings so the public can benefit from that deliberation.
- We will follow Robert's Rules of Order meaning we follow a motion and a vote system. Particulars of the rules are one of the reasons Carl Hollan attends the meetings.
- The minutes of the Board of Health meetings are the official records. Each meeting when we come and approve the minutes, we are approving the record that is public and solidifies what we have done. Pay attention to the minutes, review them and make sure they are correct.

MOTION: Rick Nielsen made the motion to adjourn which was seconded by Henry Yeates and passed by unanimous vote.

Meeting was adjourned at 6:05 pm.


Ralph Clegg, EHS MPA
Director
Utah County Health Department


Jeff Anderson
Chair
Utah County Board of Health