



# UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE  
PROVO, UTAH 84601

## MINUTES July 23, 2018

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

**Others present:**

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

Number of people in attendance – 7

1. Welcome by Jeff Acerson
2. Approval of the minutes from May 21, 2018

**MOTION:** Rick Nielsen made the motion to approve the minutes which was seconded by Teresa Tavares and passed by unanimous vote.

3. Review and consider adopting for public hearing a proposed regulation for Tobacco Sales, Licensing and Permitting. Set a date, time and location for public hearing suggested for next meeting on September 24, 2018 at 4:00 pm at this location.

Linnea Fletcher, Program Manager, Utah County Health Department, explained that House Bill 384 (HB384) was passed two years ago and resulted in House Bill 324 (HB324) being passed this year. HB324 deals specifically with zoning restrictions for tobacco specialty shops and vape shops. In the past, all tobacco retailers would go to the state tax commission where they would get a license from the state; they would then go to the city business licensing office and obtain a business license to operate as a tobacco retailer; then the local health department acted as the enforcement when retailers sold tobacco products to a minor.

As part of this process, the state tax commission wants the local health department to permit tobacco retailers so administrative actions can be on the permit rather than the tobacco license issued by the state tax commission. HB324 now requires tobacco retailers and tobacco specialty shops to get a permit from their local health department. The local health departments are now responsible for issuing permits as well as the enforcement.

Linnea distributed a handout of frequently asked questions on HB384 and HB 324 to the board members.

The proposed regulation for Tobacco Sales, Licensing and Permitting clears up questions for retailers regarding HB384 and HB324 on issues such as permitting, grandfathering, definitions, plan reviews, powers and duties, fees, penalties, and compliance checks, etc.

Linnea concluded by saying the tobacco compliance program started approximately 20 years ago and the youth sell rates were about 75-80%; currently in Utah County the number has been reduced to 6%. We know that this is an effective program in reducing youth access to tobacco products.

Ben VanNoy, Utah County Attorney, also explained the proposed regulation to the board members. He said the proposed regulation will be fine tuned before the public hearing in September.

**MOTION:** Diane Lohner made the motion to set a date, time and location for a public hearing on the proposed regulation for Tobacco Sales, Licensing, and Permitting at the next Board of Health meeting on September 24, 2018 at 4:00 pm in room #2500 of the Health and Justice Building which was seconded by Teresa Tavares and passed with unanimous vote.

4. Review the UALBH orientation manual

Ralph Clegg issued orientation manuals designed and created by the Utah Association of Local Boards of Health (UALBH) to guide board members on their duties. The manual is for board members to take home and review. Current and new board members should use this manual to understand public health and their roles and responsibilities as well as policies. The manual has some minor modifications and additions pertaining to Utah County Health Department.

5. Review the Annual Report draft

Ralph Clegg explained to the board members that Utah County Health Department's annual report is a report issued to county and city leaders and citizens from the Board of Health as well as from the health department. The board was asked to review the report to ensure that the graphics, statistics and information are in a reader friendly format for the public to understand. If board members have any suggestions, recommendations or updates, please contact Julie Dey by the end of July.

## 6. Other Business

- UALBH Annual Symposium, September 6-7, 2018 – Vernal, UT
- UALBH Steering Committee Report: Diane Lohner listed the topics that will be discussed at the UALBH Symposium
- Constituent feedback
- Employee Changes: Routine
- Changes in UALBH leadership: The executive director of the Utah Association of Local Health Departments is also the executive director of the UALBH and has resigned and taken another position in May. The position has been filled by Jill Parker who has been working at Bear River Health Department. Ralph Clegg is the current president for the Utah Association of Local Health Departments (UALHD).
  - Four Legislative Priorities
    - \$1M in funding from Utah Department of Health
    - E-cigarettes taxed at a rate similar to tobacco
    - Minimum funding mil levy for local health departments
    - Suicide prevention funding and legislation
- Algal Bloom: Update provided by Jason Garrett, Bureau Director, Utah County Health Department. Currently the algal bloom is mainly located at the south end of the Utah Lake. Signage posted at the lake is working well and can be changed from “closure” status to “warning” status. E.coli is also an issue at both Lindon and Sandy Beach. Utah County Health Department is on the Utah Lake Steering Committee. The steering committee is working to compile information on the lake and will perform scientific studies to see what the cause of the algal blooms are and what the potential is for Utah Lake in the future.
- County attorneys Ben VanNoy and Anthony Loubet were introduced to the board.

7. Discuss and recommend a nominee to the board of health to fill the unexpired term of Dr. Henry Yeates to present to the Utah County Commission for approval

**MOTION:** Daril Magleby made the motion to move to a closed meeting and table items 7 and 8 until after the closed meeting which was seconded by Rick Nielson and passed unanimously.


8. Review County recommendations for salary adjustment for the Health Department Director/Local Health Officer from the County salary survey, and consider setting the salary adjustment

**MOTION:** Dianne Carr made the motion to move to an open meeting which was seconded by Daril Magleby and passed by unanimous vote.

**MOTION:** Diane Lohner made the motion to recommend to the Utah County Commission the appointment of Dr. Mark Donaldson to fill Dr. Yeates term which expires on December 31, 2018 to the Board of Health which was seconded by Rick Nielsen and passed with unanimous vote.

**MOTION:** Teresa Tavares made the motion to increase the salary for the Director/Local Health Officer from step 88 to step 89 with the associated salary being effective July 28, 2018 which was seconded by Dianne Carr and passed unanimously.

**MOTION:** Daril Magleby made the motion to adjourn which was seconded by Diane Lohner and passed with unanimous vote.

  
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Ralph Clegg, EHS MPA  
Director  
Utah County Health Department

  
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Jeff Anderson  
Chair  
Utah County Board of Health