



# UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE  
PROVO, UTAH 84601

## MINUTES September 24, 2018

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

### Others present:

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

Number of people in attendance – 18

### 1. Welcome by Jeff Acerson

Mark Donaldson was introduced and welcomed to the board.

### 2. Approval of the minutes from July 23, 2018

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

### 3. Public hearing on the topic of proposed Tobacco Sales, Licensing and Permitting Regulation

**MOTION:** Diane Lohner made the motion to move the meeting to a public hearing for today's date, September 24, 2018, at this time and this location to consider the proposed regulation for Tobacco Sales, Licensing and Permitting. The motion was seconded by Dianne Carr and passed by unanimous vote.

Ben Van Noy, Utah County Attorney explained the proposed regulation for Tobacco, Sales Licensing and Permitting in accordance with Utah Law. He explained that House Bill 324 (HB324) requires local health departments to issue permits for tobacco retail.

Linnea Fletcher, Program Manager, Utah County Health Department summarized the 2016 report from the Surgeon General on 'E-Cigarette Use Among Youth and Young Adults.' Per the report, e-cigarettes are a major health concern that is trending nationally as well as in Utah. She also shared information from the 'Truth Initiative.' Linnea also explained juuling. Juuls are an e-cigarette type device created to look like USB drives and are typically battery powered devices that heat a liquid 'juice' that turns into an aerosol that teens inhale into their lungs. A few more vape shops have begun selling juul devices.

Linnea explained the end goal with the proposed regulation is to protect our youth from having access to these products. Ben shared handouts with the board with references to state code.

Both Ben and Linnea answered the board's questions regarding the proposed regulation.

Jeff Acerson asked for public comment. There was no public comment.

**MOTION:** Daril Magleby made the motion to close the public hearing which was seconded by Diane Lohner and passed unanimously.

4. Consider for adoption the proposed Tobacco Sales, Licensing and Permitting Regulation

**MOTION:** Dianne Carr made the motion to approve the Regulation for Tobacco Sales, Licensing and Permitting as presented based on the findings which were presented to the board. The motion was seconded by Diane Lohner and passed unanimously.

5. Adopt for public hearing amendments to Health Regulation 16-01 Nonpublic Water Systems (suggested hearing date and time of the November 26, 2018 Board of Health meeting at this location)

Ben Van Noy reviewed with the board the amendments to Health Regulation 16-01 Nonpublic Water Systems. Periodically it is good to update our regulations to make sure they are confirmative with current practices and state laws. The Health Department does not have the resources (staff resources and time resources) to issue an approval letter for each request. The approval letter requirement has been stricken. We still catch the issues if there are issues on the back end when people apply for a septic or waste water permit. There is nothing of substance that is being lost, it is just a change in the way we are approaching the approval process.

Ben stated that this is an action item to adopt the proposed changes for a public hearing. The board is not approving the amendment to 16-01 today. It will be on November's agenda for public hearing.

Ben Van Noy, Ralph Clegg and Bryce Larsen, Division Director, Environmental Health at Utah County Health Department answered the board's questions.

Helina Carter-Thomas resident of Spring Lake voiced concerns with Health Regulation 16-01 Nonpublic Water Systems as well as the proposed amendment. Julie Dey will forward the concerns to the board members via email.

**MOTION:** Diane Lohner made the motion to set a date, time and location for a public hearing on the proposed amendment to Regulation 16-01 Nonpublic Water Systems at the next Board of Health meeting on November 26, 2018 at 4:00 pm in room #2500 of the Health and Justice Building. The motion was seconded by Daril Magleby and passed with unanimous vote.

6. Set meeting dates for 2019

The board meets on the fourth Monday of every odd month at 4:00 pm in room #2500 of the Health and Justice Building. May's meeting for 2019 will not be on the fourth Monday due to Memorial Day. It has been scheduled for May 20<sup>th</sup>.

January 28, 2019

March 25, 2019

May 20, 2019

July 22, 2019

September 23, 2019

November 25, 2019

**MOTION:** Dianne Carr made the motion to approve the dates for 2019 Board of Health meetings which was seconded by Mark Donaldson and approved unanimously.

7. Review and approve the 2019 Fee Schedule

Ralph Clegg reviewed and answered questions regarding the minor changes to the fee schedule. Tyler Plewe, Bureau Director, Environmental Health, Utah County Health Department also explained changes and answered questions.

**MOTION:** Diane Lohner made the motion to approve the Utah County Health Departments 2019 Fee Schedule which was seconded by Daril Magleby and passed unanimously.

8. 2017 Independent Audit Report

Under our state and federal funding grants, we are required to have an independent audit each year, and the board is asked to review and accept the audit report. The independent audit was for all departments within Utah County Government. The Health Department's portion was shared with the board. Ralph explained there were no findings for the Health Department.

**MOTION:** Dianne Carr made the motion to accept the 2017 Independent Audit Report which was seconded by Diane Loner and passed unanimously.

9. Utah Department of Health Financial Audit Report

Ralph explained the Utah Department of Health Financial Audit Report is a more comprehensive audit specifically for the Health Department and reviews our grants from the state. The audit encompasses everything from the general ledger and down to individual employees and their time sheets. The audit makes sure everything is matching and balances and is following federal statutes for governing the use of the grant funds. There were no findings in the audit report.

**MOTION:** Diane Lohner made the motion to accept the Utah Department of Health Financial Audit Report which was seconded by Daril Magleby and pass unanimously.

## 10. Board agenda items

Ralph attended the Utah Association of Local Boards of Health Symposium and reminded the board that all board members can share with Jeff Acerson, Board of Health Chair or with Ralph items that they would like discussed on the meeting agendas. Examples would be things coming up in the community that board members would like discussed and placed on the agenda. Board members should feel empowered to make those suggestions.

## 11. Reports

- Introduction of Nursing Director: Lori Barber
- UALBH Symposium Report: Suicide prevention presentation. Ralph would like the board to view the presentation at a future board meeting. Dianne Carr said the board training was very good.
- NALBOH Conference Report: Ralph and Jeff attended the conference and reported on it.
- Annual Report
- Community Health Needs Assessment
- WIC Performance Audit
- Employee Changes

## Other Business

James O'Neal resident of Provo reported on a house in his neighborhood that is a risk for public safety. James asked for a health inspector to inspect the property. Ralph indicated that it would not be a problem to send an inspector to go in the back yard; however, the inspectors do not have authority to enter the house. To enter a house, there would need to be a court order or another agency that is concerned about the home. The board suggested to Mr. O'Neal that he should contact Provo City. Staff were also asked to contact Provo City regarding the issue.

## 12. Recommendation for appointment and reappointment of Board of Health Members to the Utah County Commission (table until after the closed meeting)

**MOTION:** Daril Magleby made the motion to table agenda item 12 until after the closed meeting which was seconded by Diane Lohner and passed unanimously


13. Approve and set a date, time and location for closed meeting to discuss the character, professional competence, or physical or mental health of an individual or individuals (suggested for today's date, September 24, 2018, at this location following the completion of the regular agenda.


**MOTION:** Dianne Carr made the motion to approve and set a date, time and location for a closed meeting to discuss the character, professional competence, or physical or mental health of an individual for today, September 24, 2018, at this location and at this time which was seconded by Diane Lohner and passed by unanimous vote.

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

**MOTION:** Diane Lohner made the recommendation to the Utah County Commissioners to reappoint Jeff Acerson and Mark Donaldson to the Board of Health which was seconded by Dianne Carr and passed by unanimous vote.

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

  
\_\_\_\_\_  
Ralph Clegg, EHS MPA  
Director  
Utah County Health Department

  
\_\_\_\_\_  
Jeff Acerson  
Chair  
Utah County Board of Health