

**Weber-Morgan Board of Health
Minutes of Meeting
October 24, 2022**

The Weber-Morgan Board of Health held its regular meeting on October 24, 2022, in the Health Department Annex conference room at 455 23rd Street. The meeting was called to order at 4:00 pm. With Dr. Frank Brown presiding.

BOARD MEMBERS PRESENT:

Dr. Frank Brown	Bonnie Wahlen	Gage Froerer
Ali Martinez	Cheryle Allen	Dr. Douglas Jacobs
Angela Choperka	Jason Boren	Ken Johnson
Kevin Eastman	Dr. Lee Schussman	Leonard Call

STAFF MEMBERS PRESENT:

Brian Cowan	Scott Braeden	Cami Sullenger
Michela Harris	Bryce Sherwood	Kristen Anderson
Lori Buttars	Jarelyn Cox	Heidi Niedfeldt
Lekelsi Talbot	Elvira Odeh	Amanda Jones
Summer Finch		

OTHERS PRESENT:

Brandan Quinney	Zahid Azam	Kraig Raines
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Welcome and Introductions- Dr. Frank Brown

Dr. Frank Brown calls the meeting to order at 4:00 p.m. and welcomes those in attendance.

Approval of Board of Health Minutes of August 22, 2022 Motion Passes

A **MOTION** is made by **Gage Froerer** and **SECONDED** by **Bonnie Wahlen** to approve the minutes as written. The **MOTION** passes unanimously.

Tobacco Appeal- Brandan Quinney Motion Passes

Brandan Quinney explains the process of the final order and notice of violation given to Zahid Azam. Brandan explains the administrative process for tobacco violation and the order was appealed to a hearing officer, a hearing officer held a hearing, a decision was made and it is being appealed and brought to the board. Brandan explains to the board that they have the authority to review the order, the review is of what has already happened and the board will determine if the Department's decision was done legally and correctly. A representative for Zahid Azam, Attorney Kraig Raines explains his client has been in business for over 22 years and has only had two violations and both occurred when he was not present. Both employees that committed the violations have been terminated and explained that they did not have proper training. The attorney thanks board members for listening and states client will abide by the decision. Brandon introduces Heidi Niedfeldt to describe what evidence was provided during the hearing to the hearing officer. Heidi

states she was present when the violation took place as well as at the hearing and explains the process of the hearing and recounts what happen during the violation. Hearing officer upheld the health department's decision of a fine and suspension of the store's tobacco permit for 24 months. Brandan explains the statute that governs tobacco retailers, and the unlawful sale of tobacco products to a minor that cause criminal conviction of employee. Gage Froerer makes a comment that this is State code and not under County ordinance or health department rules or regulation, he continues to explain state code under title 26 when talking about penalties. The board does not have the option to decrease or minimize the penalty. Attorney Kraig Raines states during the Covid-19 period things were difficult trying to retain employees and continuously hiring. Jason Boren asks this was 2nd violation what steps were taken after the first violation. Attorney Kraig Raines response is Zahid Azam was out of the country and was not present for both violations and lack of managerial control. **Angela Choberka** makes a **MOTION** to uphold the findings of the hearing officer and **SECONDED by Dr. Lee Schussman**. The **MOTION** passes unanimously.

Finance Committee update and Budget Report

Motion Passes

Dr. Lee Schussman gives an update on BOH Finance Committee meeting regarding budget. Explains how each division leader along with Brian Cowan review annual budget for previous years, ongoing expenses and a plan for future expenses. Also explains to the board about the WMHD Annual budget process, revenue sources and grants. **Michela Harris** presents a summary of the 2023 budget and demonstrates the revenue and expenses for WIC excluding the supplemental food money received by the federal government. The demonstration also includes the total revenue and expenses for each division along with total net and total additional requests. The additional requests totaling approximately \$475K include personnel actions, equipment for routine building maintenance and repairs, and other expenses like rent for the Morgan building, and utilities. Michela Harris explains pay increases given to employee's can be charged to temporary Covid-19 grants, Health Promotion and WIC grants. Michela Harris continues on with fund balances of 2022 and the projected end of 2023, explains the breakdown of the accounts that make up the fund balance in addition to information that references the statute governing accumulated fund balances and where they should be. following the guidance for counties, the target is to maintain the balance around 25%. In 2022 the Weber-Morgan Health department had submitted that they would be contributing to the health fund but instead were approved to use funds to cover raises and some health savings account expenses. Through 2022 Weber County approved an additional raise and created a budget adjustment to cover the completion of the 2nd floor annex building and finishing Morgan space. Ken Johnson asks at what point does the balance sheet need to balance and what will happen if we get below 25%. Gage Froerer addresses Ken Johnson's concern and explains they advise not using one-time money for ongoing expenses and encourage to decrease the budget. Dr. Douglas Jacobs gives kudos to the health department for maintaining under the 25%. Leonard Call makes a comment and requests a **MOTION** and **SECONDED by Dr. Douglas Jacobs** to approve the submitted 2023 budget. The **MOTION** passes unanimously.

Director's Report- Brian Cowan**Information Only**

Brian Cowan gives an update on Covid-19, the 7-day average is about 170 active cases for our health district, 25 new cases a day in Weber County and .03 cases in Morgan County. People are doing a lot more home testing and not reporting them. As of right now hospitalizations currently sit at 15 patients but now we do not have anyone in the ICU for Covid-19 complications. October 12th Bivalent booster was made available for the 5 to 12 year olds. Brian Cowan gives clarification on the information that was released by media. Media release stated covid-19 vaccines will now be required for children to attend school but ACIP statement was they recommended covid-19 vaccine to be included in the childhood immunization schedule. Brian explains Bill 308 that states local and state could not mandate a covid-19 vaccine for participation in government related activities such as going to school. Utah has identified through statute and administrative rule a committee that is call the Utah Scientific Vaccine Advisory, this committee is made up of physicians, local and state officer, academia, school board members and parents from the community that review proposal and then provide recommendations to administrative rule changes that would be made by the state department of health and human services or through legislative action. Brian gives an update on Morgan County facility, open house went great and services going well. WIC participation has increased in Morgan. The health department was asked to participate in a publication put out by NACCHO. The publication featured reported the utilization of our medical reserve corps in the Covid-19 response. The health department recently held the GYC annual dinner so our youth can express their concerns related to public health efforts. Students talked about their concerns related to mental health, substance abuse, alcohol abuse and the influence of social media. Brian extends invite to board members to participate in our employee appreciation luncheon.

Chairs Report- Dr. Frank Brown**Information Only**

Dr. Frank Brown speaks to the board in regards to attendance and explains the BOH attendance policy and possible removal for non-attendance. Dr. Frank Brown asks the board for their opinion about continuing the virtual option if member isn't able to attend in person. Angela Choberka expresses gratitude for virtual option because of traveling and busy schedules. Dr. Lee Schussman also expresses appreciation and recommends to continue to offer virtual option for members that aren't able to attend. Multiple members agreed to continue with virtual option. Dr. Frank Brown reminds board members of Brian's review and will need to schedule a meeting for next month.

Ali Martinez shares information from UALBOH about the upcoming Spring Symposium attentively scheduled for April 23, 2023 in Midway, Utah and encourages board members to attend.

The meeting adjourns at 5:38 pm.