



UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE
PROVO, UTAH 84601

MINUTES

January 25, 2010

Members Present:

Name	
Erin Maughan, PhD	✓
Clyde Nielsen, RPh	✓
Dennis Hess, MD	✓
Saundra M. Huff	excused
Chris Sorensen	✓
Debbie Eyre, Secretary	✓

Name	
Viola Ramos, MRC	excused
Jerry C. Washburn, Mayor	excused
Gary Anderson, Commissioner	✓
Joseph K. Miner, MD, MSPH	✓
Ralph L. Clegg, MPA	✓

Others present: Terry Beebe - Environmental Health, Dianne Ocrutt - Utah County Attorney, Ralph Clegg - Administration, Lynn Flinders - Nursing, Elizabeth Hickson - University of Wyoming, Heidi Toth - Daily Herald, Lundy McKibbin, Sarah Dahl

- Welcome and introductions - Dennis Hess, M.D., Vice Chair.
- Elect Board Chair and Vice-Chair for 2010.

MOTION: Commissioner Anderson made the motion to suspend the nomination process and re-elect for another year, Mayor Washburn as Board Chair, and Dr. Hess as Vice Chair. This was seconded by Dr. Maughan and passed by unanimous vote.

- Linda Strickland from the Auditor's Office performed the oath of office procedure for Dr. Hess and Commissioner Anderson. Mayor Washburn is absent today and will do this at a later date.
- Approval of Minutes for November 23, 2009.

MOTION: Commissioner Anderson made the motion to approve the minutes, which was seconded by Dr. Maughan and passed by unanimous vote.

5. Review and adopt for public hearing, a revised Utah County Tanning Regulation.

Handouts were given to the Board. Terry Beebe, Environmental Health Division Director, explained the regulation and proposed changes. Mr. Beebe explained that in 1999, the Board adopted a tanning facility regulation for Utah County. In 2008, the Utah Department of Health adopted a State rule. Since the rule and regulations are very similar, Mr. Beebe proposed the Board adopt the State rule by reference for our regulation and add amendments specific for Utah County. These amendments include fees which will be charged. Attorney Dianne Orcutt indicated that she had reviewed the proposed regulation and gave her approval. The Board approved the proposed regulation to go to public hearing at the next Board of Health meeting on March 22. Depending on the public input at that time, the Board will consider adopting the regulation.

MOTION: Mr. Sorensen made the motion to adopt for public hearing the proposed Utah County Tanning Regulation, which was seconded by Commissioner Anderson and passed by unanimous vote.

6. Review and adopt for public hearing an amendment to the Utah County Alternative Onsite Waste Water Systems Regulation.

Mr. Beebe explained that when the onsite waste water systems regulation was adopted initially, there was from year to year a lot of fluctuation in ground water depth. Environmental Health wanted to ensure that we weren't approving a system which might fail in the future because of rising ground water, so we put a minimum requirement of two-foot depth separation from ground surface to groundwater. The State allows as little as a 12-inch separation. Because of our groundwater monitoring rule, where the measurements are only accepted when we have years with reasonably normal (85%) precipitation, we no longer feel we need the 24-inch separation and can go with as little as a 12-inch separation.

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7. Body Art Regulation Revisions and Violations.

Mr. Beebe explained that to the board, a committee comprising people in the industry and our staff was created to study the body art regulation as it is and possibly make some revisions, hopefully in time for the next Board of Health Meeting.

Mr. Beebe also shared that he had received concerns about unregistered tattoo technicians operating out of their premises who are not permitted with us. He would like to eliminate these types of operations, and also address the practice of tattoo removal by permitted tattoo businesses. A proposal will be presented at a future meeting.

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Among other issues, the regulation will also discuss materials used in piercing, training requirements, tattoo removal procedures, sharps disposal, piercing implants, building requirements, and penalties for violators. Dr. Miner said that the County is working with the County Attorney to come up with better ways to enforce the regulations and penalize violators.

Dr. Miner reiterated that the Health Department does not endorse the practice of tattoos or piercing. However, since it is a legal business, we feel an obligation to try to assure that businesses engaged in this practice follow reasonable safety and sanitation procedures.

8. Review and discuss the Department's Vision, Mission, Values and Essential Services of Public Health and Organization Chart.

Dr. Miner explained that State law requires local elected officials to establish a local health department which is why the County Commissioners appoint a Board of Health, and the Commission and Board hire an Executive Director. Dr. Miner explained the different divisions of the Health Department along with their responsibilities. Senior Services are new programs to our Department, composed of Senior Companions and Foster Grandparents. He explained the Vision, Mission, Values, and discussed the Ten Essential Services of Public Health.

Dr. Hess pointed out that the fast food industry is a challenge because they need to give more information to help people make healthier choices. Dr. Miner explained that obesity is fast overtaking tobacco as the leading cause of premature death. It's becoming a national crisis and because of obesity, Type II diabetes, which was once rare in teens and children, is becoming common in those ages. Mr. Sorensen said the State School Board is putting in guidelines for vending machines in the schools. There will be no vending machines in elementary schools, and a limited number in junior and senior high schools. Candy can't have more than 300 calories per serving, and there will be a required ratio of healthy food choices to unhealthy choices. Lunch programs have made a good effort to improve their food, replacing fried with baked, and offering more vegetables and fruits.

9. APEX-PH Self Assessment/Planning Process (Assessment Protocol for Excellence in Public Health).

Ralph Clegg explained that the last time this self assessment was done ten years ago, many good things resulted. We strengthened our ability to do epidemiological investigations, strengthened our public relations and media communications, and we now have legal counsel in Board of Health meeting. The assessment protocol consists of two steps. The first is a senior management assessment which includes the policy board, or our Board of Health. Mr. Clegg asked Board members to complete the two page assessment pertaining to boards and bring it back to the next board meeting. The second step is a community assessment, and we are considering having university students and their professors assist with this. The process is quite labor intensive and will probably take one and a half years. Dr. Maughan asked if the Board could do anything to help with the process. When she was at the State Association of Local Boards of Health steering committee, they suggested that they may have some money to help with these types of projects. She will follow up.

10. Review 2010 approved budget.

Ralph Clegg explained that 2009 was a very difficult budget year for the County, and the Health Department isn't exempt from that. Among other cuts in 2009, Provo School District cut their school nursing by one-third. With the economy, we are doing fewer inspections on homes with fewer homes being built, fewer people are traveling, which has affected the numbers coming in for immunizations, and fee collections have decreased a little as a result. Some contracts are up because of an increased demand for WIC services and funding for the H1N1 immunizations. Other contracts have remained stable over the last three years. Since tax revenues have dropped, the use of our Health Fund has gone up. The Health Department has eliminated, or is holding open, 5.5 FTE positions until funding improves. We have also reduced part-time or non-merit staff wherever possible. The bottom line is that the budget has been fairly flat since 2008 due to economic conditions with the exception of the WIC and H1N1 funding.

Dr. Miner explained that the Board doesn't have authority over funding of local health departments; State law requires that local health department funding fall the local elected officials. The Board has authority over public health policy. The main budget does not include the budgets for Substance Abuse, Senior Services, the County "Healthy Lifestyles" Wellness Program, or WIC food dollars. WIC food dollars are about \$7-8 million all by themselves. The Substance Abuse budget is about \$7 million. They are facing the same challenges with their budgets. Things will probably get worse before they get better.

11. H1N1 Update.

Dr. Miner explained that H1N1 influenza has pretty much stopped. We don't know if there will be a resurgence, but seasonal flu tends to peak in February and March, so we could see significant influenza-like illness later on. Estimates are that 60-80 million people nationwide were infected with H1N1, resulting in about 4,000 deaths. The numbers of people hospitalized and given intensive care treatment have tripled in Utah County from a normal seasonal flu year because so many more people were getting infected, and developed the serious complications. The life span of this virus depends on immunity in the population and how much it changes. Influenza viruses are always changing and can mutate rapidly. H1N1 was new enough that it became a pandemic because populations didn't have the immunity to keep it from spreading. Healthcare workers, children under five, and school age children are the most likely to spread this infection. Seniors don't get exposed as easily, but can have serious complications if they are chronically ill. .

12. Board Member Advocacy for Public Health - Dr. Maughan shared information from the steering committee she attended. They are planning the September annual Local Boards meeting, which may be held in Utah County. The one-day conference will be for all board members state wide. If you have ideas for topics, let Dr. Maughan know as she represents the Board at the steering committee. The meeting also discussed how the boards of health can be advocates for their local health departments' programs.

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more legislation limiting our authority to regulate the Saratoga Springs geothermal pools. The health department can't permit their pools if their pool surface remains stained a mottled brown and create a safety hazard.

14. New employees - Dr. Miner reviewed the list of new employees.

The new employees are almost all part time/temporary employees in several divisions. One position is grant funded. Environmental Health is down two full time scientists, so the Commissioners approved to fill one of those positions. Our Environmental Health Division has the lowest environmental health scientist to population ratio in the State.

15. Other business -

Dr. Miner handed out to those present the individual annual Board membership cards to the National Association of Local Boards of Health.

Terry Beebe discussed some undefined food service vendors which qualify neither as a permanent food establishment nor as a temporary food stand. These are the food stands at outdoor open-air farmers markets, corn mazes, etc. Environmental Health has been giving these vendors a temporary permit, but they don't really qualify as such. The facilities are operating for longer than 14 consecutive days (usually the entire summer), disqualifying them as a temporary food facility. Mr. Beebe will bring a draft amendment to our food safety regulation to a future board of health meeting to address this type of food business.

The Board expressed appreciation to the Health Department for their services to the community.

16. Next meeting - March 22, 2010 in the H&J Building, Suite 2500.

Meeting adjourned at 5:35 p.m.

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Executive Director
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Meeting adjourned at 5:35 p.m.

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Meeting adjourned at 5:35 p.m.

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Handouts were given to the Board. Terry Beebe, Environmental Health Division Director, explained the regulation and proposed changes. Mr. Beebe explained that in 1999, the Board adopted a tanning facility regulation for Utah County. In 2008, the Utah Department of Health adopted a State rule. Since the rule and regulations are very similar, Mr. Beebe proposed the Board adopt the State rule by reference for our regulation and add amendments specific for Utah County. These amendments include fees which will be charged. Attorney Dianne Orcutt indicated that she had reviewed the proposed regulation and gave her approval. The Board approved the proposed regulation to go to public hearing at the next Board of Health meeting on March 22. Depending on the public input at that time, the Board will consider adopting the regulation.

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Mr. Beebe explained that when the onsite waste water systems regulation was adopted initially, there was from year to year a lot of fluctuation in ground water depth. Environmental Health wanted to ensure that we weren't approving a system which might fail in the future because of rising ground water, so we put a minimum requirement of two-foot depth separation from ground surface to groundwater. The State allows as little as a 12-inch separation. Because of our groundwater monitoring rule, where the measurements are only accepted when we have years with reasonably normal (85%) precipitation, we no longer feel we need the 24-inch separation and can go with as little as a 12-inch separation.

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Saundra M. Huff	excused
Chris Sorensen	✓
Debbie Eyre, Secretary	✓

Name	
Viola Ramos, MRC	excused
Jerry C. Washburn, Mayor	excused
Gary Anderson, Commissioner	✓
Joseph K. Miner, MD, MSPH	✓
Ralph L. Clegg, MPA	✓

Others present: Terry Beebe - Environmental Health, Dianne Ocrutt - Utah County Attorney, Ralph Clegg - Administration, Lynn Flinders - Nursing, Elizabeth Hickson - University of Wyoming, Heidi Toth - Daily Herald, Lundy McKibbin, Sarah Dahl

- Welcome and introductions - Dennis Hess, M.D., Vice Chair.
- Elect Board Chair and Vice-Chair for 2010.

MOTION: Commissioner Anderson made the motion to suspend the nomination process and re-elect for another year, Mayor Washburn as Board Chair, and Dr. Hess as Vice Chair. This was seconded by Dr. Maughan and passed by unanimous vote.

- Linda Strickland from the Auditor's Office performed the oath of office procedure for Dr. Hess and Commissioner Anderson. Mayor Washburn is absent today and will do this at a later date.
- Approval of Minutes for November 23, 2009.

MOTION: Commissioner Anderson made the motion to approve the minutes, which was seconded by Dr. Maughan and passed by unanimous vote.

5. Review and adopt for public hearing, a revised Utah County Tanning Regulation.

Handouts were given to the Board. Terry Beebe, Environmental Health Division Director, explained the regulation and proposed changes. Mr. Beebe explained that in 1999, the Board adopted a tanning facility regulation for Utah County. In 2008, the Utah Department of Health adopted a State rule. Since the rule and regulations are very similar, Mr. Beebe proposed the Board adopt the State rule by reference for our regulation and add amendments specific for Utah County. These amendments include fees which will be charged. Attorney Dianne Orcutt indicated that she had reviewed the proposed regulation and gave her approval. The Board approved the proposed regulation to go to public hearing at the next Board of Health meeting on March 22. Depending on the public input at that time, the Board will consider adopting the regulation.

MOTION: Mr. Sorensen made the motion to adopt for public hearing the proposed Utah County Tanning Regulation, which was seconded by Commissioner Anderson and passed by unanimous vote.

6. Review and adopt for public hearing an amendment to the Utah County Alternative Onsite Waste Water Systems Regulation.

Mr. Beebe explained that when the onsite waste water systems regulation was adopted initially, there was from year to year a lot of fluctuation in ground water depth. Environmental Health wanted to ensure that we weren't approving a system which might fail in the future because of rising ground water, so we put a minimum requirement of two-foot depth separation from ground surface to groundwater. The State allows as little as a 12-inch separation. Because of our groundwater monitoring rule, where the measurements are only accepted when we have years with reasonably normal (85%) precipitation, we no longer feel we need the 24-inch separation and can go with as little as a 12-inch separation.

MOTION: Commissioner Anderson made the motion to adopt for Public Hearing the Amendment to the Utah County Alternative Onsite Waste Water Systems Regulation, which was seconded by Clyde Nielsen and passed by unanimous vote.

7. Body Art Regulation Revisions and Violations.

Mr. Beebe explained that to the board, a committee comprising people in the industry and our staff was created to study the body art regulation as it is and possibly make some revisions, hopefully in time for the next Board of Health Meeting.

Mr. Beebe also shared that he had received concerns about unregistered tattoo technicians operating out of their premises who are not permitted with us. He would like to eliminate these types of operations, and also address the practice of tattoo removal by permitted tattoo businesses. A proposal will be presented at a future meeting.

Another tattoo issue is requests by judges and parents to revise or cover up gang-related tattoos on under-aged adolescents. Our current regulation does not allow this and probably should be amended to do so.

Among other issues, the regulation will also discuss materials used in piercing, training requirements, tattoo removal procedures, sharps disposal, piercing implants, building requirements, and penalties for violators. Dr. Miner said that the County is working with the County Attorney to come up with better ways to enforce the regulations and penalize violators.

Dr. Miner reiterated that the Health Department does not endorse the practice of tattoos or piercing. However, since it is a legal business, we feel an obligation to try to assure that businesses engaged in this practice follow reasonable safety and sanitation procedures.

8. Review and discuss the Department's Vision, Mission, Values and Essential Services of Public Health and Organization Chart.

Dr. Miner explained that State law requires local elected officials to establish a local health department which is why the County Commissioners appoint a Board of Health, and the Commission and Board hire an Executive Director. Dr. Miner explained the different divisions of the Health Department along with their responsibilities. Senior Services are new programs to our Department, composed of Senior Companions and Foster Grandparents. He explained the Vision, Mission, Values, and discussed the Ten Essential Services of Public Health.

Dr. Hess pointed out that the fast food industry is a challenge because they need to give more information to help people make healthier choices. Dr. Miner explained that obesity is fast overtaking tobacco as the leading cause of premature death. It's becoming a national crisis and because of obesity, Type II diabetes, which was once rare in teens and children, is becoming common in those ages. Mr. Sorensen said the State School Board is putting in guidelines for vending machines in the schools. There will be no vending machines in elementary schools, and a limited number in junior and senior high schools. Candy can't have more than 300 calories per serving, and there will be a required ratio of healthy food choices to unhealthy choices. Lunch programs have made a good effort to improve their food, replacing fried with baked, and offering more vegetables and fruits.

9. APEX-PH Self Assessment/Planning Process (Assessment Protocol for Excellence in Public Health).

Ralph Clegg explained that the last time this self assessment was done ten years ago, many good things resulted. We strengthened our ability to do epidemiological investigations, strengthened our public relations and media communications, and we now have legal counsel in Board of Health meeting. The assessment protocol consists of two steps. The first is a senior management assessment which includes the policy board, or our Board of Health. Mr. Clegg asked Board members to complete the two page assessment pertaining to boards and bring it back to the next board meeting. The second step is a community assessment, and we are considering having university students and their professors assist with this. The process is quite labor intensive and will probably take one and a half years. Dr. Maughan asked if the Board could do anything to help with the process. When she was at the State Association of Local Boards of Health steering committee, they suggested that they may have some money to help with these types of projects. She will follow up.

10. Review 2010 approved budget.

Ralph Clegg explained that 2009 was a very difficult budget year for the County, and the Health Department isn't exempt from that. Among other cuts in 2009, Provo School District cut their school nursing by one-third. With the economy, we are doing fewer inspections on homes with fewer homes being built, fewer people are traveling, which has affected the numbers coming in for immunizations, and fee collections have decreased a little as a result. Some contracts are up because of an increased demand for WIC services and funding for the H1N1 immunizations. Other contracts have remained stable over the last three years. Since tax revenues have dropped, the use of our Health Fund has gone up. The Health Department has eliminated, or is holding open, 5.5 FTE positions until funding improves. We have also reduced part-time or non-merit staff wherever possible. The bottom line is that the budget has been fairly flat since 2008 due to economic conditions with the exception of the WIC and H1N1 funding.

Dr. Miner explained that the Board doesn't have authority over funding of local health departments; State law requires that local health department funding fall the local elected officials. The Board has authority over public health policy. The main budget does not include the budgets for Substance Abuse, Senior Services, the County "Healthy Lifestyles" Wellness Program, or WIC food dollars. WIC food dollars are about \$7-8 million all by themselves. The Substance Abuse budget is about \$7 million. They are facing the same challenges with their budgets. Things will probably get worse before they get better.

11. H1N1 Update.

Dr. Miner explained that H1N1 influenza has pretty much stopped. We don't know if there will be a resurgence, but seasonal flu tends to peak in February and March, so we could see significant influenza-like illness later on. Estimates are that 60-80 million people nationwide were infected with H1N1, resulting in about 4,000 deaths. The numbers of people hospitalized and given intensive care treatment have tripled in Utah County from a normal seasonal flu year because so many more people were getting infected, and developed the serious complications. The life span of this virus depends on immunity in the population and how much it changes. Influenza viruses are always changing and can mutate rapidly. H1N1 was new enough that it became a pandemic because populations didn't have the immunity to keep it from spreading. Healthcare workers, children under five, and school age children are the most likely to spread this infection. Seniors don't get exposed as easily, but can have serious complications if they are chronically ill. .

12. Board Member Advocacy for Public Health - Dr. Maughan shared information from the steering committee she attended. They are planning the September annual Local Boards meeting, which may be held in Utah County. The one-day conference will be for all board members state wide. If you have ideas for topics, let Dr. Maughan know as she represents the Board at the steering committee. The meeting also discussed how the boards of health can be advocates for their local health departments' programs.

13. 2010 Legislation - Dr. Miner.

Dr. Miner said a major issue this year again will be dealing with budgets and what cuts will be made. Representative Ray from Davis County wants to pass a tobacco tax and designate some of that tax for Gold Medal Schools. Another healthcare reform bill would require employers of 2-50 employees to offer insurance through the state health insurance exchange if they do offer insurance. Employees could get better insurance coverage. Senator Madsen of Eagle Mountain may propose

more legislation limiting our authority to regulate the Saratoga Springs geothermal pools. The health department can't permit their pools if their pool surface remains stained a mottled brown and create a safety hazard.

14. New employees - Dr. Miner reviewed the list of new employees.

The new employees are almost all part time/temporary employees in several divisions. One position is grant funded. Environmental Health is down two full time scientists, so the Commissioners approved to fill one of those positions. Our Environmental Health Division has the lowest environmental health scientist to population ratio in the State.

15. Other business -

Dr. Miner handed out to those present the individual annual Board membership cards to the National Association of Local Boards of Health.

Terry Beebe discussed some undefined food service vendors which qualify neither as a permanent food establishment nor as a temporary food stand. These are the food stands at outdoor open-air farmers markets, corn mazes, etc. Environmental Health has been giving these vendors a temporary permit, but they don't really qualify as such. The facilities are operating for longer than 14 consecutive days (usually the entire summer), disqualifying them as a temporary food facility. Mr. Beebe will bring a draft amendment to our food safety regulation to a future board of health meeting to address this type of food business.

The Board expressed appreciation to the Health Department for their services to the community.

16. Next meeting - March 22, 2010 in the H&J Building, Suite 2500.

Meeting adjourned at 5:35 p.m.

Joseph K. Miner, M.D.
Executive Director
Utah County Health Department

Dennis Hess, M.D.
Vice-Chair
Utah County Board of Health

