WEBER-MORGAN BOARD OF HEALTH MINUTES OF MEETING January 28, 2013

The Weber-Morgan Board of Health held their regular meeting on January 28, 2013 in the Health Department auditorium at 477 23rd Street. The meeting was called to order at 4:00 p.m. with Jay Jenkins presiding.

BOARD MEMBERS PRESENT:

Jay Jenkins, Chair Tina Kelley, Vice-Chair

Neil GarnerRich HarrisKen JohnsonKerry GibsonDave HolmstromMatthew Bell

MEMBERS EXCUSED:

Jan Zogmaister Frank Brown

Jamie Grandpre

STAFF MEMBERS PRESENT:

Gary House **Kay Larrison** Louis Cooper Claudia Price Colleen Jenson Gwen Hadley Cindy Pitcher Lori Buttars Brian Cowan George Chino Michelle Cooke Sondra Mitchell Elaine Wendt Michela Gladwell Josh Miller Scott Braeden Nickee Palacios Summer Day

Anna Guymon

OTHERS PRESENT:

Chris Allred Julie Rhodes Kevin Lott Jerry Paskett

Cal Pack

Welcome – Jay Jenkins

Jay Jenkins calls the meeting to order at 4:01 p.m.

New Board Member Introduction – Matthew Bell

Information Only

Jay Jenkins introduces and welcomes the new Weber County Commissioner, Matthew Bell, to the Board of Health.

Employee of the Quarter – Kay Larrison

Information Only

Kay Larrison states that Lidia Guzman is the employee of the quarter for 4th quarter 2012. Unfortunately, Lidia is in Texas on a family emergency but is recognized for her work billing for clinic services – largely vaccinations. The number of insurance providers has increased from five to 12 and she carries a heavy workload for staff

training and flu billing, plus she helped staff the school immunization clinics and served as back up to the PIO during this time. She will be presented a gift card and certificate.

Approval of Minutes of November 26, 2012 – Jay Jenkins

Motion Passes

Clarification of who made the motion to enter into executive session is made. A **MOTION** is made by **Dave Holmstrom** and **SECONDED** to accept the minutes as corrected. The **MOTION** passes unanimously.

Appointment of Air Quality Advisory Committee – Brian Cowan

Motions Pass

Brian Cowan tells the Board that all terms of advisory committee members expire. All have asked to be reappointed and three new people have applied. He reviews the list that was sent to board members and speaks to the resolution that breaks down the membership types. He explains that vacancies are not advertised; current committee members and health department staff recruit. There are no limits to number of terms served. There is discussion about attendance of current committee members. Kevin Lott, chair of the advisory committee, expresses opinion that two should not be reappointed because of their participation – William Barnett and Skyler Liston. Other committee members, Cal Pack and Jerry Paskett provide input noting that Burke Christensen is no longer in the industry but wants to stay on the committee as a private citizen. There is discussion on the resolution that created the advisory committee. It states that there will be at least six members but can be up to 12 with up to three alternates. Chris Allred states that the Board has full discretion to change the resolution to whatever they want. A **MOTION** is made by **Ken Johnson** and **SECONDED** to reappoint all current members except Christensen, Liston, and Barnett replacing them with Spinden, Chaffee, and Gerber. Discussion follows on general public members and equal representation across categories. The MOTION is withdrawn. A second MOTION is made by Ken Johnson and **SECONDED** to appoint Bexell, Christensen, Pack, Weiss, Rawson, Paskett, Griffin, DeCaria, Lott, Clendenin, Spinden, and Chaffee with Gerber as an alternate. The MOTION passes unanimously. Brian Cowan responds to questioning about current committee members' term lengths. A MOTION is made by Kerry Gibson and **SECONDED** to set term lengths with one year terms for Bexell, Christensen, Paskett, and Griffin; two year terms for Pack, Weiss, Rawson, and DeCaria; and three year terms for Lott, Clendenin, Spinden, and Chaffee. Subsequent terms will all be three years. The **MOTION** passes unanimously. **Brian Cowan** suggests the resolution be changed to address attendance, to update reference to new Interlocal agreement, to move annual meeting, and to address members being removed for cause. There is discussion regarding a current member's station being suspended and the technician permit revoked. Discussion includes type of violations, steps to revocation, suspension period, definition of misconduct or cause, and the ease of modifying the resolution itself. Chris Allred counsels that the Board should not delegate to the committee who should be removed for cause; they should retain that authority. It is decided to leave the resolution as is.

Indoor Tanning Bed Sanitation Regulation-

Request for Public Hearing-Michela Gladwell

Motion Passes

Michela Gladwell points out that the State has updated the tanning rules effective November 1, 2012. The main changes are 1) local health department will permit tanning businesses, 2) those under 18 years of age can tan only with doctors permission or

parent/guardian face-to-face permission each time, 3) new consent form, 4) warning sign changes, and 5) additional warnings that are now part of the rule. In 2008, Weber-Morgan adopted a tanning regulation and incorporated the state rule as reference. There is discussion about emancipated youth under age 18, the need to hold a public hearing just to change numbering in the regulation, and the process for the public hearing. **Chris Allred** recommends going to public hearing even though the changes are minor. A **MOTION** is made by **Ken Johnson** and **SECONDED** to approve holding a public hearing prior to next board meeting for the revised tanning regulation and appointing Michela Gladwell as hearing officer. The **MOTION** passes unanimously.

2013 Fee Schedule Approval and Budget Presentation – Kay Larrison

Motion Passes

Kay Larrison refers to the spreadsheet sent to board members prior to the meeting with ten years data. The 2013 column shows that tax revenues have increased both in Weber County and Morgan County, contracts and grants have decreased some in WIC and health promotion, and fees have remained constant. Fees have changed only slightly over the past several years and vaccine fees are modified when cost of vaccine warrants a change to the fee charged to clients. Referring to the 2013 Fee Schedule, she says a new vaccine has been added; fees for other vaccines, helmets, and car seats have been modified to cover the cost of each and counseling rates now match Medicaid reimbursement rate. There may be a time when the Board will be asked to change the food handler testing fee should the legislature pass a statewide card. Expenses for staffing are up because of the recently awarded cost of living allowance and merit increases granted by the Weber County Commission. Retirement percentage is higher, health insurance is up, and environmental health division is now fully staffed. Training and travel costs are dictated largely through grant requirements and with new environmental health staff certification requirements. Supplies have changed slightly with vital records paper and vaccine increases. Building costs for rent have decreased because of the new bonds issued through the county, and controlled assets are set for regular computer upgrades and one environmental health vehicle. There are no capital projects for 2013- the first time in several years. A MOTION is made by Neil Garner and **SECONDED** to approve the fee schedule as presented. The **MOTION** passes unanimously.

Monthly Management Reports-November and December – Gary House Information Only Gary House says the time has been quiet and talks of the recent "Friend of Public Health" award to Harmon's grocery stores for removing tobacco from their shelves. Neil Garner appreciates getting word on upcoming events.

PREP/Abstinence Report – Nickee Palacios

Information Only

Nickee Palacios says the abstinence program, in place for six years, uses the Choosing the Best curriculum for 6th, 8th, and high school aged children. The program is interactive, age appropriate and medically accurate and covers goal setting, relationships and more. There are also one-time presentations with guest speakers. In the 2011-2012 school year, the program was taught in Ogden and Weber districts reaching 3,334 students 12-18 years old. Pre and post testing showed an increase in identifying the benefits of remaining abstinent and their intention to remain abstinent until married. The Personal Responsibility Education Program (PREP) is a teen health project directed

toward at-risk youth. A six-week educational course on decision making, communication, contraception, goal setting, etc. is followed by the option for youth to volunteer for six-months on a youth coalition where they plan and implement events promoting healthy lifestyles. This program partners with Ogden OUTreach, Community Re-Entry Opportunity Social Suppression (CROSS) program, and Weber Basin Job Corp. During the 2011-2012 school year, 103 at risk youth participated and the OWATC YouthBuild Program became involved. Increases reflected through pre and post testing showed more youth could identify the benefits of safer sex, their intention to remain abstinent, and their intention to use safer sex when sexual activity occurs. Through the youth coalition events, 10,000 youth aged 15-19 were reached. A chart showing birth rate decreases from 2006 through 2011 is reviewed that highlights a 19% decrease in teen births in Weber-Morgan Health district; 19.5% in Weber County and 16% in downtown Ogden. There is discussion about the difficulty of getting into and staying in elementary schools with the program.

Utah Indoor Clean Air Act Amendment – Anna Guymon

Information Only

Anna Guymon offers an update to the UICAA which the legislature passed last year with changes addressing hooka and electronic cigarettes (e-cigs). Efforts are being made to educate businesses on the changes so they can comply with the law. 5,000 businesses were sent the fact sheet that was emailed to board members along with a window sticker and cover letter asking them to call the health department with questions. **Neil Garner** is working with the Downtown 25th Street business association who are asking for more teeth to the law. Anna Guymon will be working with business licensing divisions in each city to make sure more are contacted. Enforcement is largely complaint driven and is normally due to inadequate signage. In response to questioning, she explains the nicotine variables of e-cigs. Weber-Morgan is the first local health department to develop a communication plan to educate the public on the UICAA. Gary House relays his concern and the project where five local retailers were visited and five different types of e-cigs purchased. They were sent to the lab at the University of Utah for testing and found that one that advertised a small amount of nicotine had more than advertised. Of the other four that advertised no nicotine, one had nicotine in it. With no regulation, the product is not properly aligned with how it's marketed.

Public Comment

Cal Pack, Weber County taxpayer, tells board members of his problems with his analyzer in that he cannot print and is having problems with Applus+ responding to him. He still has problems with bench com errors and expresses concerns that station owners 'don't matter'. He talks of quality of inspections and a technician test that used to be in place that was more difficult than now. He says that the advisory committee should find solutions and make recommendations before going to the Board of Health.

2013 Meeting Dates – Jay Jenkins

Jay Jenkins verifies that all board members received the list of 2013 meeting dates. May's meeting falls on Memorial Day and will need to be moved or cancelled. **Kerry Gibson** asks if the start time of the meeting can be moved up one hour. There is discussion about holding it in the morning. Further discussion will take place next meeting.

Executive Closed Session – Jay Jenkins

Motion Passes

Jay Jenkins requests a motion to enter into closed session to discuss Health Officer evaluation and compensation. A MOTION is made by Neil Garner and SECONDED.

A roll call vote is taken.

Neil Garner Aye Kerry Gibson Aye Rich Harris Aye Tina Kelley Aye Jay Jenkins Aye Ken Johnson Aye Dave Holmstrom Aye Matthew Bell Aye The motion passes.

Reconvene Regular Meeting – Jay Jenkins

Motion Passes

A **MOTION** is made by **Neil Garner** and **SECONDED** to return to public meeting of the Board of Health. The **MOTION** passes unanimously.

Recommendation Regarding Health Officer

Evaluation and Compensation – Jay Jenkins

Motion Passes

Jay Jenkins states that the surveys collected by employees and members of the Board of Health have been reviewed. Mr. Jenkins will meet with Mr. House at a later date to go over them. A **MOTION** is made by **Neil Garner** and **SECONDED** to approve the 2% cost of living allowance (given to employees January 1, 2013) and 1% merit increase for Health Officer, Gary House effective February 14, 2013. The **MOTION** passes with a five-to-three vote. **Gary House** clarifies that his contract stipulates cost of living allowances are awarded as with all Weber County employees.

The meeting adjourns at 6:55 pm. Next meeting is scheduled for February 25, 2013 at 4:00 p.m.