

**Weber-Morgan Board of Health
Minutes of Meeting
November 26, 2018**

The Weber-Morgan Board of Health held its regular meeting on November 26, 2018 in the Health Department auditorium at 477 23rd Street. The meeting was called to order at 4:00 p.m. with Ken Johnson presiding.

BOARD MEMBERS PRESENT:

Ken Johnson	Frank Brown	Tina Kelley	Roland Haslam
Neil Garner	Donna Chapman	Jennifer Bodine	Karen Harrop
Lee Dickemore	Kevin Eastman	Cole Brinkerhoff	

BOARD MEMBERS ABSENT:

Ali Martinez	James Ebert
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STAFF MEMBERS PRESENT:

Brian Bennion	Brian Cowan	MaryLou Adams	Colleen Jenson
Michela Harris	Jesse Bush	Lori Buttars	Summer Day
Scott Braeden	Michelle Cooke	Jarelyn Cox	Kristi Jones
Lori Greene	Ryan Harrison	Bryan Sherman	JoAnn Wengreen

OTHERS PRESENT:

Chris Crockett	Bill Cook	Dave Holmstrom	Sharon Holmstrom
McKenzie Leininger	Danika Jacobson	Jarali Avendano	

Welcome and Introductions – Ken Johnson

Ken Johnson calls the meeting to order at 4:00 p.m. and welcomes those in attendance.

Approval of Board of Health Minutes of September 24, 2018 Motion Passes

A **MOTION** is made by **Karen Harrop** and **SECONDED** by **Neil Garner** to approve the minutes as written. The **MOTION** passes with Roland Haslam abstaining.

OgdenCAN Presentation-Bill Cook

Information Only

Bill Cook, Director of the Office of Community Development at Weber State University who also serves as the Director for the Ogden Civic Action Network (OgdenCAN), briefly explains the organization and what they have accomplished since forming in February 2016. He says 465 universities across the nation have civic action networks yet OgdenCAN is the only one that is doing it with the community. They were recognized and received the 2018 Presidential Excellence Award from the International Town and Gown Association. They work with other organizations in addressing nine social determinants of health with their main focus on housing, health, and education. He answers questions about the area of focus, resources, and funding. Board members ask for additional information to be sent out.

Friend of Public Health Awards-Lori Buttars

Information Only

Lori Buttars invites Brian Bennion to present the award to Dave Holmstrom. **Brian Bennion** explains that Dave joined the Board of Health in 2012 and was influential in getting hundreds of miles of trails within Weber County through Weber Pathways. He has always shown support by attending events such as Safe Kids Day and Kick the Butt events. He served as board liaison for the Air Quality Advisory Committee and was instrumental in amending the Motor Vehicle Inspection and Maintenance Regulation to include diesel vehicles. He also led in updating the Board of Health Bylaws which in turn helped reorganize the Board to its present status with a more diverse representation of the community. The health department would like to recognize him as one of the great friends of public health and for his service throughout the community. **Dave Holmstrom** comments that he has learned so much while serving on the Board of Health and appreciates the knowledge of the health department staff. **Brian Bennion** reports that James Ebert has done a tremendous amount of work with the Intergenerational Poverty Initiative and the Weber County Welfare Reform Commission. His encouragement and support has been extremely helpful to the health department. **Neil Garner** thanks Dave for his service and recognizes what a great liaison he was while on the Air Quality Advisory Committee. He was respected and admired by the service station owners. He also worked with James on the Homeless Coordinating Council and says he works from his heart and has done a great job as liaison on the health department Finance Committee.

Budget Update-Brian Cowan

Information Only

Brian Cowan distributes a handout with 3rd quarter numbers and explains the department is on target with what was budgeted. He explains the plan to reduce the fund budget and gives projections for 2019. The Weber County Commission has a public hearing tomorrow to approve the tentative budget.

Tobacco Use in Outdoor Public Places Regulation-Kristi Jones

Motion Fails/Motion Passes

Kristi Jones reports to board members that there were no public comments, written or verbal, at the public hearing held on October 30th to amend the Tobacco Use in Outdoor Public Places Regulation. She answers questions on the signage and verbiage to be used as some may not view e-cigarettes as a tobacco product. **Roland Haslam** says he does not agree that the changes should include all tobacco products which would restrict those who use smokeless tobacco. He questions the signs that will be used and how it should identify smokeless tobacco as well if this goes through. A **MOTION** is made by **Roland Haslam** to not approve the regulation. The **MOTION** was not **SECONDED**. **MOTION** Failed. A **MOTION** is made by **Cole Brinkerhoff** and **SECONDED** by **Neil Garner** to approve the amendment to the regulation as written. The **MOTION PASSES** with one dissenting vote from Roland Haslam.

Recommendation for Alternate Tobacco Hearing Officer-Brian Bennion

Motion Passes

Brian Bennion explains that George Garwood has been the Hearing

Officer for the Tobacco program for 10 years and with recent law changes anticipates the possibility of having more hearings. He recommends Kay Larrison as an alternate Tobacco Hearing Officer. Kay retired as Administration Director at the health department, is professional, knowledgeable, fair, and well respected. Questions are answered as to what changes were made to the law, what a hearing officer's duties are, and if there were any concerns with conflict of interest. It is explained that it would be very beneficial to have an additional hearing officer in case an individual is known to a hearing officer and also that some hearings are time sensitive. A **MOTION** is made by **Tina Kelley** and **SECONDED** by **Cole Brinkerhoff** to approve the recommendation to appoint Kay Larrison as an alternate Hearing Officer for the Tobacco Program. The **MOTION** passes unanimously.

Body Art Regulation-Michela Harris

Motion Passes

Michela Harris asks for approval to remove paragraphs (C) and (D) in Section 6.5 in the Body Art Regulation. The enforcement procedure outlined in these paragraphs are incorrect and would allow a business owner to operate without a valid permit for ninety days. It states that "Failure to renew the permit will result in a late fee being assessed. The late fee will consist of the permit fee being doubled for thirty days overdue, tripled for sixty days overdue, and quadrupled for ninety days overdue" and "Failure to renew the permit after ninety days is considered operating without a permit and may result in further legal action as allowed by law." This verbiage is used for wastewater permits which are permits for a homeowner and not a business. She explains that no other business permits are done this way and would like to bring it in line with the way late fees are actually charged so there is no conflict. This was discussed with Weber County Attorney Chris Crockett who recommended making this minor change and since the late fee procedure was more policy and not regulation, it would not be required to go to public comment. There is discussion on the current process of invoicing and late fees. **Roland Haslam** questions why the late fee is not included in the regulation and has to be paid thirty days before the permit expires. **Michela Harris** explains that invoices are sent out sixty days before the expiration date to give business owners thirty days to pay the \$120.00 permit fee. The late fee outlined on the invoice is an incentive to get the permit renewed quickly so it will not expire and cost both the business owner and the health department time and money. There is further discussion on raising fees to accommodate cost recovery and setting up a procedure to reward an early payment. **Ken Johnson** asks if this is an administrative issue rather than an item the Board needs to approve. **Chris Crockett** says that feedback is very useful but it is more of an internal procedure rather than a regulation. He suggests moving forward with removing these two paragraphs since there is no intent of utilizing the process that is stated. **Karen Harrop** points out that the two paragraphs that are currently in the regulation are not intended to be enforced and the late fee which is explained on the invoice are two completely different fees. **Brian Cowan** clarifies the fifty percent late fee charge is for missing a payment due date and that the business is allowed to operate until the day a permit expires. This process originated as an

attempt to avoid the operating expenses of reinstating an expired permit. A **MOTION** is made by **Karen Harrop** and **SECONDED** by **Jennifer Bodine** to remove 6.5 (C) and 6.5 (D) out of the Body Art Regulation. The **MOTION PASSES** with one dissenting vote from Roland Haslam. It is suggested to clarify at another board meeting and how to collect a fee could be a continued discussion. Utah Department of Health is working on a statewide body art rule that will be introduced at some point.

Director's Report-Brian Bennion

Information Only

Brian Bennion informs board members there have been nine hospitalizations statewide so far this flu season and vaccinations are still available in our clinic. Surrounding states have had an e-coli outbreak in romaine lettuce. The Center for Disease Control recommends all romaine lettuce be pulled until the source is found. Many restaurants in Weber and Morgan counties have chosen to not serve romaine until further notice and the health department will continue monitoring. Utah Proposition 2 Medical Marijuana Initiative passed with the legislature discussing a compromise today. Part of this compromise involves the thirteen local health departments becoming dispensaries which makes Utah the first state to choose this way of dispensing. The Department of Agriculture would inspect all growers, Utah Department of Health would oversee and issue cannabis cards, and there will be a central packaging location which would then distribute to local health departments and five pharmacies throughout the state. Our health department would dispense out of Vital Records which has added security, a safe, storage room, and a waiting room. WIC passed the State Management Evaluation with no findings. He expresses appreciation for their leadership and professionalism. There will be no meeting held in December.

Chair's Report-Ken Johnson

Information Only

Ken Johnson expresses sorrow at the passing of former board member Mayor Brent Taylor. He says he was great to work with, listened carefully, and asked great questions which made for great discussions. He appreciated his friendship and was certainly a friend of public health.

Public Comment

McKenzie Leininger and Jarali Avendano from the Governing Youth Council thank the Board for passing the amendment to the Tobacco Use in Public Places Regulation.

Cole Brinkerhoff questions how prescriptions are disposed of when received at a medication drop off event. He specifically asks if labels on bottles should be removed. The medication is incinerated and removing labels is not necessary but many people choose to do so.

The meeting adjourns at 5:46 p.m. with the next meeting is scheduled for January 28th.