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| **Present:** | Kristy Cottrell, Division Director, FHSS |
| Don Wood, Chair | Diana Reich, Business Manager, Admin Services |
| Scott Zigich, Vice Chair | Neal Geddes, ATTY |
| Bret Millburn, Commissioner | Dennis Keith, EHS |
| Dr. Warren Butler | Rachelle Blackham, EHS |
| Dr. Gary Alexander | Bob Ballew, RCC/PIO |
| Ann Benson | Isa Perry, COP |
| Dr. Colleen Taylor | Tiffany Leishman, Admin |
| Brent Petersen | Dee Jette, EHS |
| Ben Tanner | Linda Ebert, EHS |
| Mayor Randy Lewis | Jay Clark, EHS |
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| **Excused:** |  |
| Dr. Warren Butler | **Visitors/Guests:** |
|  | Bryon Saxton, Standard Examiner |
| **Department Staff:** | Danielle Manley – SL Tribune - Resident |
| Lewis R. Garrett, Director of Health | Steve Winters - Resident |
| Brian Hatch, Deputy Director of Health |  |
| Liz Carlisle, Administrative Asst |  |
| Dave Spence, Division Director, EHS |  |
| Wendy Garcia, Division Director, CD/EPI |  |
| Ivy Melton Sales, Division Director, CHS |  |

The meeting of the Davis County Board of Health (Board) was held Tuesday, August 12, 2014 at the Davis County Health Department, Board Room, 22 South State Street, Clearfield, Utah. The meeting was called to order at 7:30 a.m. by Mr. Don Wood.

**Welcome**

Mr. Wood welcomed Board members, staff and visitors to the meeting. Mr. Wood also welcomed Mayor Randy Lewis as a new Board member.

**Minutes (Action)**

The minutes of May 13, 2014 were presented and reviewed.

*Ms. Benson motioned to accept the minutes of May 13, 2014. Mr. Zigich seconded. The vote was unanimous.*

**Emergency Designation – Transfer of Authority Standard (Action)**

Mr. Garrett presented the Board with the Department’s proposed Line of Succession Standard for approval. The standard outlines the transfer of health officer authority in the event of an emergency situation and the Director is unavailable.

*Mr. Petersen motioned to approve the Transfer of Authority Standard. Ms. Benson seconded. The vote was unanimous.*

**Electronic Smoking Device Policy Decision (Action)**

Mr. Garrett reported that since the May 13, 2014 adoption of the Board’s Electronic Smoking Device Regulation, ten other health Boards in Utah have either adopted similar regulations or are currently in the process. During the implementation of Davis County’s regulation, staff identified several business and labeling practices that may require amendments to the current regulation and are recommending the following:

1) Allowing warning labels that are substantively similar to the prescribed language in the regulation. This amendment is recommended as current business practices are changing, many businesses no longer manufacturing e-liquid products in-house but are purchasing products from large in-state and out-of-state manufacturers. These products have similar and sufficient warning labeling however, they do not meet the prescriptive wording requirements of the regulation.

2) Allow some variation in the nicotine and ingredient label. The current regulation is prescriptive of how nicotine content is labeled. Products often have sufficient labeling but again, may not meet the exact language requirements in the regulation. Staff does not believe that these wording variations are substantive enough to prohibit the sale of these products in Davis County.

3) Eliminate requirement for a tamper-evident seal on the e-liquid bottles. The current regulation requires a childproof, leak proof, and tamper-evident seal on e-liquid bottles. The majority of the out-of-county manufactured products do not have tamper-evident seals however their bottles are

leak proof and have childproof caps.

4) Eliminate requirement for retailers to provide information on converting nicotine content from mg/ml to percent nicotine. Staff recommends eliminating this provision as it may be unreasonable to ask store clerks to be experts on the complicated conversion process.

5) Add the word “walls” in section 5.4.2.2. This section outlines the requirements for e-liquid preparation areas. The section should read: Floors, “walls”, and ceilings in the Preparation Area must be smooth, non-absorbent and easily cleanable. The word “walls” was inadvertently omitted when the regulation was adopted.

6) Clarify the requirement to display e-liquid in a manner not directly accessible to individuals under the age of 19. Staff is recommending an allowance for specialty shops regarding the requirement that products remain in locked cases as an individual must be 19 to enter the store and therefore the requirement is redundant. The locked display requirement would remain in place for convenience and other stores.

Mr. Wood, Mr. Petersen, and Commissioner Millburn expressed concern about eliminating tamper-evident seals as e-liquid is an unregulated product. Mayor Lewis also expressed concern regarding the safety of the in-house produced refillable tanks as they may contain unsafe materials.

Mr. Garrett responded that staff feels the added protection of a temper-evident seal may not be substantive enough to justify prohibiting the sale of products in Davis County that do not meet this packaging requirement.

*Dr. Taylor motioned that the Board send the proposed amended regulation to public hearing. Mayor Lewis seconded. The vote was unanimous. Mayor Wood appointed Dr. Alexander as the hearing officer.*

**Variance Request – Vapor Loc, LLC (Action)**

Mr. Spence reported that the owner of Vapor Loc, LLC has requested three variances at their Layton City location:

1) A five month variance on labeling requirements to allows the store to deplete their current stock.

2) A variance regarding the tamper-evident seal. The store has had difficulty finding a tamper-evident seal that works effectively. Store products are produced in-house in a process that includes simply transferring the product from a large container to smaller containers. Also, all product sales are final and cannot be returned for any reason.

3) A variance regarding the cleanable ceiling surfaces in preparation areas as the cost is prohibitive.

Staff recommends granting a temporary variance for labeling and tamper-evident seals. However, staff recommends that the cleanable ceiling surfaces requirement remain in place. The cleanable tiles do not need to be installed in the entire room but just above the preparation area.

Commissioner Millburn questioned how large the area is that would be required to have the cleanable ceiling tiles. Mr. Spence reported it is likely only two ceiling tiles would need to be replaced. Mr. Zigich supported staff recommendations stating that the cleanable surface is standard and a reasonable requirement.

*Mr. Zigich motioned to grant the variance regarding labeling and tamper-evident seals but to deny the variance regarding cleanable ceiling tiles with the caveat that only the tiles directly above the preparation area will be required to be cleanable. Mr. Petersen seconded. The vote was unanimous.*

**Overview of Family Health & Senior Services (Information)**

Ms. Cottrell provided the Board with an overview of Division Services. Family Health services represent traditional public health services such as Maternal and child health as wells as immunizations. These services include the Women, Infants, and Children (WIC) program; Baby your Baby; Targeted Case Management that includes an in-home visit from a Registered Nurse (RN); well-child and dental exam reminders for children on Medicaid; child and adult immunizations; travel vaccines and education; Outreach immunization clinics; and provider education.

Senior Services includes prevention oriented programs and is guided by the Older Americans Act and Aging Network. Programs offered focus on health and assistance activities and information. These programs include Meals on Wheels; senior transportation; home care case management; caregiver support; senior activity centers; health prevention programs; retired senior volunteer program; advocacy and long term care ombudsman services; Medicare, Medicaid, and fraud prevention information.

**Decade Software Presentation (Information)**

Mr. Spence reported on the new database system Environmental Health Services is implementing. Following an extensive Request for Proposals process, the department contracted with Decade Software for a product that will allow the division to record all inspections results electronically. This will increase the amount of usable information that can be easily posted and accessed by the public as well as be used by staff to create reports, identify trends, and track and help with quality improvement efforts. The system will track all Environmental health Services programs and will serve as a platform for permitting and billing. It is anticipated that the system will be operational by November 1, 2014. Completion of this project fulfills one of the Divisions 2014 Strategic Goals to have implemented a significantly improved environmental health database system.

**Accreditation Update (Information)**

Mr. Hatch reported on the Departments current accreditation efforts. The accreditation process includes seven steps: 1) Pre-Application; 2) Application: 3) Documentation selection and submission; 4) Site visit; 5) Accreditation decision; 6) Reports; 7) Reaccreditation. Having completed steps one and two the department is currently working on step three, documentation selection and submission.

Commissioner Millburn asked when the Department would be ready to move forward. Mr. Hatch reported the Department is on-target to submit their documentation by the end of the year. The next step will include a site visit from the Public Health Accreditation Board (PHAB) evaluators. These evaluators will be meeting with the Board and staff to discuss documentation and department processes.

Mr. Tanner asked if the other local health departments were also working toward accreditation. Mr. Hatch reported that Tooele County Health Department has been accredited and that Salt Lake County has submitted their documentation and are waiting for their site visit. A few other local health departments in Utah are preparing for accreditation but have not formally begun the process.

**Workforce Development Plan (Information)**

Ms. Leishman presented the Board with the Departments Workforce Development Plan. The plan was created by the Workforce Development (WFD) team which consists of representatives from each of the Departments Divisions. The team is tasked with: identifying and implementing Workforce Development goals and objectives; overseeing, updating, and reviewing the Workforce Development Plan; establishing interventions to meet milestones; maintaining required documentation; preparing and implementing evaluation tools; and providing input from their respective areas.

The WFD plan contains an agency profile, workforce profile, core competencies required licenses and certifications, and required trainings. From this process several gaps in capacity and needs were identified. For example a gap in succession planning at all levels of the Department was identified based on the workforce profile which showed that 27 percent of staff will be eligible for retirement within five years with another 16 percent eligible in the following five years.

The plan also outlines three goals and objectives that will be monitored and measured. Those goals included: Creating a culture and environment in which employees feel valued and appreciated; provide professional and career development for all staff; develop leadership and management personnel.

Mr. Wood asked if the department has agreements with local colleges and other training institutions to offer internships that would help minimize the workforce turnover due to retirement. Ms. Leishman reported those programs are in place. Mr. Garrett reported the Department does currently have several paid internships but would like to expand the number of intern opportunities that are available.

**Budget Report (Information)**

Ms. Reich presented the year-to-date Department budget numbers.

**UALBH Report (Information)**

Mr. Petersen encouraged Board members to attend the annual September UALBOH symposium being held at Daniels Summit.

**Director’s Report (Information)**

Mr. Garrett reported on the recent Clinton City water contamination issue. Department staff supported the city by providing lab assistance as well as staff to aid in chlorinating the water.

Commissioner Millburn asked if the cross-connection had been identified as the impact on businesses and homeowners has been great. Mr. Tanner asked if there had been any evidence of illnesses attributed to the issue. Mr. Garrett reported the cross-connection had been identified and corrected and that staff has been working with local restaurant owners on how to ensure their systems such as ice machines are safely and properly flushed. He also reported that there were suspect cases but no confirmed cases of illness associated with the event occurred.

Staff has begun preparing for the 20115 budget presentations. Mr. Petersen asked if a cost of living increase would be included in this year’s Personnel budget. Mr. Garrett reported that that decision had not been addressed by County leaders at this time.

Mr. Garrett reported on the progress of the Community Health Improvement Plan teams (CHIP). All four teams are functioning and currently working toward their strategic goals. The Air Quality team was able to form collaboration with Silver Eagle Refinery to deploy five air monitors in the area around the refinery that will provide real time air quality data. This data will be available to the public for review on a website. The goal of the team is to deploy air monitors throughout the County.

Mr. Garrett invited Board members to the upcoming Access to HealthCare Assessment meeting scheduled for August 27.

**Chairs Report**

Mr. Wood reported that due to conflicts the November Board meeting has been rescheduled for November 25, 2014.

**Commissioners Report**

Commissioner Millburn reminded Board members that the Davis County Fair is being held this week and highlighted the Departments involvement through several booths as well as the annual 5K.

**Adjournment**

The meeting was adjourned at 9:00 a.m.

**NEXT MEETING: November 25, 2014**

**7:30 a.m.**