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| **Present:** |  |
| Scott Zigich, Chair | Ivy Melton Sales, Division Director, CHS |
| Dr. Gary Alexander, Vice-Chair | Diana Reich, Business Mgr |
| Jim Smith, Commissioner | Bob Ballew, RCC/PIO |
| Dr. Warren Butler | Isa Perry, COP |
| Dr. Colleen Taylor | Dee Jette, EHS |
| Ben Tanner | Linda Ebert, EHS |
| Mayor Randy Lewis | Marcie Johnson, WIC |
| Ann Benson | Rachelle Blackham, EHS |
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| **Department Staff:** | **Visitors/Guests:** |
| Lewis R. Garrett, Director of Health | Scott Paxman, Weber Basin Water Conservancy |
| Brian Hatch, Deputy Director of Health |  |
| Neal Geddes, ATTY |  |
| Liz Carlisle, Administrative Asst |  |
| Dave Spence, Division Director, EHS |  |
| Kristy Cottrell, Division Director, FHSS |  |

The meeting of the Davis County Board of Health (Board) was held Tuesday, August 11, 2015 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. Scott Zigich.

**Welcome**

Mr. Zigich welcomed Board members, staff and visitors to the meeting.

**Minutes (Action)**

The minutes of May 12, 2015 were presented and reviewed.

*Mayor Lewis motioned to accept the minutes of May 12, 2015. Ms. Benson seconded. The vote was unanimous.*

**Public Hearing Report on Proposed Regulations (Action)**

Mr. Spence reported on the public hearing held on June 16, 2015 regarding the proposed amendments to the Public Pool and Housing regulations. Scott Zigich served as the hearing officer. No public comment was received regarding the proposed amendments to the regulations at the public hearing or during the written comment period.

The Board reviewed the proposed Findings of Fact and Conclusions of Law of each regulation prepared by staff.

*Mr. Cook motioned to approve the Findings of Fact and Conclusions of Law regarding the Public Pool and Housing regulations. Ms. Benson Seconded. The vote was unanimous.*

Public Pool Regulation

Mr. Cook asked for clarification on the six month seasonal permit referred to in the regulation. Mr. Spence reported that to accommodate the extended swimming season the regulation makes a distinction between seasonal and year round pools. Seasonal pools are able to obtain a six month permit and year round pools can be permitted for a twelve month period.

*Mr. Cook motioned to adopt the amended Public Pool regulation. Dr. Alexander seconded. The vote was unanimous.*

Housing Regulation

Mr. Cook questioned interpretation of the term “general sanitation” referred to in the regulation. Mr. Spence stated that the trained environmental health scientists who are inspecting the location would make that determination. Mr. Cook also was concerned if composting would be included in nuisance odors and open up the department to frivolous complaints. Mr. Spence reported that a staff person would be asked to investigate the complaint and if the composting does cause a nuisance odor that is impacting neighbors, it would be addressed with the homeowner. Also, Mr. Cook asked if collection of rain water would be considered waste water under this or other regulations. Mr. Spence reported that rain water collection is considered gray water and not actionable as waste water.

Mr. Garrett added that the housing regulation applies primarily to rental units not private homes. It is common for the department to receive a complaint that a rental unit is not in good shape or impacting the health of the tenant. This regulation provides a set of standards the department can use to address those complaints.

Commissioner Smith asked for clarification on what the 14-day time limit referred to in the regulation. Mr. Garrett responded that many municipalities implemented watering restrictions and penalties this year due to drought conditions. One of the identified penalties for repeated violations was to shut off water to the housing unit. The 14 days represent a grace period to allow the resident to resolve the issue before the department is required to close the unit to occupancy.

*Commissioner Smith motioned to adopt the amended Housing regulation. Mayor Lewis seconded. The vote was unanimous.*

**Environmental Health Services Division Report (Information)**

Mr. Spence gave a brief overview of Environmental Health Services which oversees 35 programs. A highlight of the past year has been the collaboration with the Silver Eagle refinery who agreed to donate air quality monitors to the department. These monitors will provide real-time air quality data to a website that will be accessible to the public.

Another highlight of 2015 has been the increased attendance and interest in the departments Radon classes and testing program. Mr. Zigich commented that the class he attended was informative and attended by more than 200 people. Mr. Spence reported that 285 homes were tested and homeowners provided with educational materials.

Mr. Cook asked how the homes that were tested were identified and how long the testing lasts. Mr. Spence reported that homeowner can call in or use the website to request testing. The recommended testing time is a minimum of 48 hours up to a year. The longer the home is tested the more accurate the results.

Mayor Lewis asked if there is any response from the department if a hotspot area is identified. Mr. Spence reported that the department does not do any remediation but refers the homeowner to local private for that service.

Mr. Geddes recognized the department and the division for the handling of the adjudicative hearing process. The process is not heavy handed and allows the department to educate the public on how to avoid the violation in the future. Attendees to the hearings have been appreciative of the explanations and the chance to sit down with department representatives.

**Open Meetings Act Training (Information)**

Mr. Geddes of the Davis County Attorney’s office provided the Board with a Utah’s Open Meeting Act training.

Mr. Cook asked when written minutes or a recording of a closed meeting would be open to the public. Mr. Geddes reported that those records are defined as protected and are not released to the public. They may be disclosed only if ordered by the court.

**Accreditation Update (Information)**

Mr. Hatch reported on the department’s current accreditation efforts. Currently only 70 local health departments out of 2,800 or 2.5 percent have met the standards and measures set forward by the Public Health Accreditation Board (PHAB) for accreditation. In preparation for the site visit, PHAB members review documentation submitted by the department. That review looks at all 12 domains their 97 measures and the documents submitted in support of those measures. On June 24 the department received a report that outlined 13 measures out of the 97 that needed additional information submitted. The department has addressed those issues and the site-visit is scheduled for August 25-26.

In preparation for the site-visit and domain meetings the department will conduct mock site-visit meetings to prepare staff. The site-visit will also include a meeting with the Board. A briefing has been scheduled to prepare Board members for their portion of the site-visit. Mr. Zigich asked for volunteers to attend the training as well as the site-visit meeting held on August 25.

*Ms. Benson, Dr. Alexander and Mr. Zigich volunteered to participate.*

**Budget Report (Information)**

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

**UALBOH (Information)**

Ms. Benson invited Board members to attend the Annual Symposium scheduled for September 10-11 at Daniel Summit. The symposium provides a great opportunity for Board members to interact with other boards of health throughout the state.

**Director’s Report (Information)**

Mr. Garrett thanked staff for their work in preparing the department for accreditation. Specifically the time and effort put forward by Ms. Isa Perry, Ms. Anna Dillingham, and Mr. Brian Hatch that has allowed the department to be fully prepared for the upcoming site visit.

Mr. Garret reported that Dr. David Patton the Executive Director of the Utah Department of Health (UDOH) has unexpectedly stepped down. The Governor has appointed Dr. Joseph Miner, the former Health Officer of Utah County, to the position. Mr. Garrett stated that it is encouraging to see a local health officer appointed to the position and believes it will further strengthen the local-state partnership.

Last year the legislature approved a state law regarding e-cigarettes and directed UDOH to create a Rule to implement that statute. The department, in conjunction with other local agencies has worked with the state to draft that rule which is currently out for industry review and input. Once the new rule is adopted, the Board will need to update Davis County’s Electronic Smoking Device regulation to come into compliance.

Mr. Garrett reported the minimum performance measures identified in state rule regarding local health departments has not been updated in 25 years. Mr. Garrett was appointed to lead the committee to review and update this rule. A draft of the amended rule has been completed and is currently being reviewed by all the local health departments. Once this review is complete the rule can be taken to public hearing and adopted.

Mr. Garrett also has been appointed as chair of the local health officer’s legislative committee. In addition to the minimum performance rule the committee is looking to support legislation that would prevent additional break-ups of existing health districts. The formation of small health departments requires significant reallocation of state and federal public health funds to the detriment of other local health departments in the state.

Mr. Garrett reported on drinking water contamination caused by a cross connection in the Syracuse and Clinton areas. The department supported the cities in identifying the cross connection and continue to help with water sampling and laboratory testing.

Comm. Smith asked if there were any illnesses attributed to the cross connection. Mr. Garrett reported there were six cases or reported illnesses and one hospitalization.

Mr. Garrett formally thanked Dr. Warren Butler for his 12 years of service on the Board. Dr. Butler was an advocate for residents always mindful of how fees would impact low income residents and local businesses. His dedication and work has influenced many of the Boards regulations.

**Chairs Report (Information)**

Mr. Zigich asked how the Board can be more helpful during the legislative session. Mr. Garrett reported that Board members are welcome to contact their local legislator as well as participating in UALBOH’s legislative committee.

**Commissioners Report (Information)**

Comm. Smith reported on the recent emergency training held in Emmitsburg, MD that included not only County leadership but leadership of local municipalities and public safety. As a new Commissioner it was eye opening to see how critical the role of public health is during an emergency. The Commissioner thanked the representatives from the health department that attended.

**Adjournment**

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

**NEXT MEETING: November 10, 2015**

 **7:30 a.m.**