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| **Present:** | **Department Staff:** |
| Scott Zigich, Chair | Brian Hatch, Director of Health |
| Dr. Gary Alexander, Vice-Chair | Liz Carlisle, Administrative Asst |
| Jim Smith, Commissioner | Dave Spence, Deputy Director |
| Dr. Ryan Stewart | Kristy Cottrell, Deputy Director |
| Mayor Randy Lewis | Wendy Garcia, Division Director, CD/EPI |
| Ann Benson | Neal Geddes, ATTY |
| Brian Cook | Bob Ballew, RCC/PIO |
| Dr. Colleen Taylor | Dennis Keith, EHS |
| Troy Wood | Dee Jette, EHS |
|  | Linda Ebert, EHS |
| **Excused:** | Rachelle Blackham |
|  | Jay Clark |
|  | Diana Reich |
|  |  |
|  | **Visitors/Guests:** |

The meeting of the Davis County Board of Health (Board) was held Tuesday, November 8, 2016 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. Scott Zigich welcomed Board members, staff and visitors to the meeting. Mr. Zigich welcomed to the Board new member Mr. Troy Wood. Mr. Wood currently serves as the CEO of Lakeview Hospital.

**Minutes (Action)**

The minutes of August 9, 2016, were presented and reviewed.

*Commissioner Smith motioned to accept the minutes of August 9, 2016. Dr. Alexander seconded. The vote was unanimous.*

**Vice-Chair Nomination/Election (Action)**

Mr. Hatch reported the nomination committee met and recommended Dr. Ryan Stewart as the 2017 vice-chair nominee.

*Ms. Benson motioned to elect Dr. Stewart to the 2017 Vice-Chair seat. Dr. Alexander seconded. The vote was unanimous.*

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

Mr. Spence reported on the public hearing held on September 7, 2016 regarding the proposed amendments to the Open Burning and Waste Tire regulations. Brian Cook 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.

Open Burning

Mr. Spence reported the proposed amendments include: 1) Formally adopting Utah R307-202 Emission Standards: General Burning; 2) Requiring that a burning permit or approval be issued by the municipal fire authority prior to burning instead of the Health department; 3) Changing the maximum recreational fire size from 8 feet diameter to 3 feet diameter, as recommended by local fire agencies; and 4) Standardizing department formatting.

*Commissioner Smith motioned to approve the Findings of Fact and Conclusions of Law for the Open Burning regulation. Mr. Wood seconded. The vote was unanimous.*

*Commissioner Smith motioned to adopt the proposed Open Burning regulation. Mr. Wood seconded. The vote was unanimous.*

Waste Tire

Mr. Spence reported the proposed amendments include: 1) Addressing waste tire storage that creates a nuisance or fire hazard; 2) Standardizing department formatting, including penalty section; and, 3) Reducing fees for waste tire transporters by $25.

Mayor Lewis asked how the amendments may affect tire businesses that store seasonal tires for patrons. Mr. Spence responded that the regulation requirements are specific to waste tires and have no effect on those businesses. The regulations is to protect against an individual renting a storage unit, filling it with waste tires and then disappearing.

*Commissioner Smith motioned to approve the Findings of Fact and Conclusions of Law for the Waste Tire regulation. Mr. Cook seconded. The vote was unanimous.*

*Commissioner Smith motioned to adopt the proposed Waste Tire regulation. Mr. Cook seconded. The vote was unanimous.*

**Proposed Regulation for Public Hearing (Action)**

Mr. Keith presented the Board with proposed amendments to the Infectious Waste regulation last approved in November 2011. The regulation applies to facilities generating more than 200 pounds of waste per month; transporters who collect and transport more than 200 pounds per load; facilities storing more than 200 pounds; and facilities disposing of infectious waste. The regulation does not apply to household generated waste. Proposed amendments include: 1) adopting provisions of the Utah Code Annotated Title 19-6-102; 2) adopting provisions of the Utah Administrated Code R315-301, 306, and 316; and, 3) standardizing department formatting.

Mr. Wood asked what facilities approach the 200 pound limit. Mr. Keith responded that local hospitals and other large medical facilities may generate waste that reaches regulation levels.

Commissioner Smith asked if other waste generated such as Animal Control would be affected by this regulation. Mr. Keith reported that waste created by facilities such as Animal Control are regulated by the Solid Waste regulation. Mr. Spence also reported that the landfill has a special designate area for solid waste from facilities such as Animal Control.

Mr. Keith asked the Board to send the regulation to public hearing and appoint a hearing officer.

*Mr. Wood motioned to send the Infectious Waste regulation to public hearing. Dr. Stewart seconded. The vote was unanimous. Mr. Zigich volunteered to serve as the hearing officer.*

**Minimum Performance Attestation Statement (Action)**

Mr. Hatch reported the new Minimum Performance Rule implemented in June sets performance standards for local health departments and includes a Compliance Attestation Statement signed by the Board Chair and Health Officer. The attestation statement certifies the department meets the minimum performance standards set forth in the Rule.

The Rule sets performance standards relating to: Health Officers; administration; personal and population health services; environmental health programs; public health emergency preparedness; laboratory services; and establishes compliance and corrective action procedures if a local health department is found to be in non-compliance with the Rule.

The Health Officer requirement allows two options: A licensed medical doctor; or a masters prepared professional. If the masters prepared professional option is selected the department must contract with a licensed medical doctor who oversees all medical services.

Commissioner Smith asked how many local health departments in the State have a medical doctor as the Health Officer. Mr. Hatch reported that only one department is led by a physician all other health departments are led by master prepared professionals with contracted medical officers.

The Administration portion of the rule establishes policies and procedures critical to Board and County functions. The Board will appoint and annually evaluate the performance of the Health Officer; adopt and monitor the annual budget; assures ongoing planning; and reports annually to the County the health status of residents. The Rule requires the following staff: a nursing director, community health educator, licensed environmental health scientist, and epidemiological capacity. The department is also required to provide public health services that are in compliance with local, state, and federal rules, regulations, and polices.

The Personal and Population Health Services section outlines required services and programs such as communicable disease prevention and control services; health promotion services, vital records, injury control services; and chronic disease services.

Required Environmental Health programs include food safety, schools, indoor clean air, public pools, etc. As well as investigation of public health hazards including vector control and implementing regulations or programs to meet special or unique needs of the County.

Public Health Emergency Preparedness requires the department coordinate with emergency management to conduct a risk assessment; establish partnerships; establish memorandums of agreement for assistance; identify local public health roles in an emergency response; maintain an all-hazards plan; function as a lead agency for emergency support functions; test public health preparedness through response drills; and continued training.

Commissioner Smith commented on how important the emergence preparedness and response section is. The Health Department plays a large and critical role during an emergency and training and preparedness is critical.

Laboratory Service requirements include ensuring availability of laboratory capacity to support public health programs. The department maintains an on-site laboratory and has agreements with the Utah Public Health Laboratory and contracts with private laboratories when needed.

Ms. Benson commented that departments that have been accredited have already met the highest standards and should easily meet this Rule. She asked if the Rule is in place to provide a corrective action plan for departments that have yet to be accredited. Mr. Hatch responded that the department has always been in compliance with the previous Rule however, accreditation did aid the department in efforts to meet new rule requirements. It also provides a path for non-compliant departments to work toward compliance.

Mr. Cook asked if the Rule will discourage small municipalities from breaking away from their districts and forming their own local departments. Mr. Hatch reported the Rule requires significant financial, staff, and service obligations to comply with the Rule. This is to curb municipalities from breaking off on their own and then having difficulties providing proper service levels.

Mr. Cook asked what happens if a local health department refuses to comply with the Rule. Mr. Hatch reported that funding would be withheld from the department until they are found to be in compliance.

Mr. Hatch reported that the department far exceeds the requirements outlined in the new Minimum Performance Rule and asked the Board to approve the Attestation Statement.

*Mayor Lewis motioned to approve the Attestation Statement. Mr. Cook seconded. The vote was unanimous.*

**Immunization Regulation Discussion (Information)**

Currently in schools children are required to have vaccinations or seek and exemption but there are no requirements on adult staff. Staff has worked with school administration in the past to identify a regulation that would protect school staff, students, and the continuity of operations. Teacher and student exclusions during an outbreak such as measles can be extremely difficult and costly for districts.

Recently the Salt Lake Board of Health implemented a regulation requiring staff vaccinations within all of the areas school districts. The Davis County School District has also undergone a leadership change and has stated they are willing to consider a similar regulation within Davis County. Staff has reviewed the regulation and modified it to fit the needs of Davis County.

Mr. Zigich reported the regulation would be critical in maintaining continuity of operations and well as minimizing confusion and costs if exclusions are required.

The regulation requires individual school staff members maintain their vaccination records or seek an exemption similar to students. Currently many staff members are vaccinated but do not have quick access to their records. During an outbreak this delay in documentation may cause a vaccinated employee to be excluded. The regulation will streamline the process of identifying students and staff that may be at risk during an outbreak.

Commissioner Smith asked during the last measles outbreak if the disease was spread by students or staff. Mr. Hatch responded that the outbreak was initially spread by students however, while working to control the outbreak several teachers had to be excluded. Mr. Zigich reported due to the teacher shortage finding replacement teachers quickly for those that have been excluded is difficult and costly.

Commissioner Smith and Mr. Wood both asked about possible exemptions. Mr. Hatch reported that the regulation would include exemptions for personal, religious or medical reasons.

Mr. Cook asked if staff would be required to prove immunity after an outbreak. Mr. Hatch reported that the regulation places the onerous of maintaining vaccination documentation on the individual. It would be made known during the hiring process that vaccination records are to be up-to-date on show immunity through laboratory testing as a requirement of employment. During an outbreak if the employee has failed to maintain those records they will be excluded and the school district may apply disciplinary action if it wished. The regulation provides a pathway to streamline disease investigations within schools and quickly identify individuals who may be at risk and protect the continuity of operations within the schools.

The regulation requires vaccinations for MMR, TDaP, and Varicella. It recommends but does not require vaccinations for Hepatitis A and B as well as a seasonal Influenza vaccination.

Mr. Wood asked what the current school district administration feeling is on the regulation. Mr. Zigich reported the new administration is open to the idea and is willing to discuss the regulation. Mr. Wood also asked what the cost would be to employees. Mr. Zigich reported that all of the required and recommended vaccinations outlined in the regulation would be covered through the employee health plans.

Mr. Lewis asked why the annual influenza vaccination was only recommended and not required. Mr. Hatch responded that the department does not investigate or exclude staff regarding influenza. The required vaccinations all require investigations and exclusions to control and outbreak. The goal is to quickly assess and control outbreaks of measles, mumps, pertussis, and chicken pox.

Mr. Hatch Proposed a workgroup be formed to meet with school officials and move forward on the language of a proposed regulation.

*The Board directed staff to move forward with initial meetings with the school district. Mr. Zigich volunteered to be the Board representative on the workgroup.*

**Environmental Health Division Update (Information)**

Mr. Keith gave a brief overview of Environmental Health Services which consists of the following bureaus: Food and Facilities, Water Resources, Air Quality, and Emergency Response and Hazardous Waste. Notable events from this past year include work with the State on a Hazardous Air Pollutants Study, algal blooms in Farmington Bay and a creation and distribution of “The Davis Digest” a newsletter being sent to all county restaurants.

Commissioner Smith asked to be added to the mailing list of the new newsletter.

**Budget Report (Information)**

Mr. Hatch reported the 2017 County budget is in process of being finalized. Mr. Hatch thanked Commission Smith for his work to understand and support the financial needs of the department.

**UALBOH (Information)**

Ms. Benson reported the association would like to focus on increased involvement of local Boards with legislators. Some areas have hosted a breakfast meeting or invited legislators to their Board meetings. Ms. Benson reported that the Annual Summit will be held on September 7-8 at Daniel Summit.

**Director’s Report (Information)**

Mr. Hatch reported that the department continues to work with the State to implement the new Electronic Cigarette rule and ensure it is in compliance with the Federal Drug Administration (FDA) rule. The department also is reviewing the Outdoor Smoking in Public Places regulation to identify any changes. Staff recommends changes to the Electronic Smoking Device and Outdoor Smoking in Public Places be delayed until the State and Federal rules are finalized to ensure proper compliance.

Mr. Hatch reported that Mr. Dennis Keith has been appointed as the new Environmental Health Division Director and Rachelle Blackham has been promoted to the Environmental Health Deputy Division. Marcie Johnson was appointed as the new Family Health Division Director.

Mr. Hatch reported there will be several legislative bills dealing with immunizations, tobacco, food freedom and restaurant placarding, and air quality that may affect local health departments in the upcoming legislative session.

Ms. Benson asked if there will be a bill proposing the legal age to buy tobacco be raised to 21. Mr. Hatch responded that the bill is still being discussed and likely will be introduced again in 2017.

**Chairs Report (Information)**

Mr. Zigich thanked the Board for their hard work and expressed his appreciation for staff and the support they have provided during his term as chair.

**Commissioners Report (Information)**

Commissioner Smith thanked Mr. Zigich for his extended time as chair and his work seeing the department through the appointment of a new Health Officer. He also commended Mr. Hatch for his work within the legislature and continuing to protect public health in Davis County.

Commissioner Smith reported that budget preparations this year have been extremely challenging. The County will request a small tax increase and the Commissioner invited the Board to learn more about it. Several public meetings and hearings will be held to review the tax increase with residents.

**Passing of the Gavel**

Mr. Zigich handed off the gavel and Chair responsibilities to Dr. Alexander the new chair for 2017. Mr. Hatch presented Mr. Zigich a plaque and thanked him for his service as chair during the accreditation and hiring process.

**Adjournment**

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

**NEXT MEETING: February 14, 2017**

**7:30 a.m.**