

Board Members Present

Mr. Brandon Hatch, Chair
Mayor Joy Petro, Vice-Chair
Dr. Gary Alexander, MD
Commissioner Lorene Kamalu
Dr. Colleen Taylor, DDS

Dr. Ryan Stewart, MD
Mr. Troy Wood
Mr. Rich Swanson
Mr. Brian Hatch, Director
Mr. Neal Geddes, Chief Deputy Attorney

Davis County Health Department Staff and Guests Present

Austin Andrews, PM/QI Coordinator
David Spence, Deputy Department Director, Health
Rachelle Blackham, Deputy Department Director, Seniors
Jay Clark, Division Director, Environmental Health
Diana Reich, Division Director, Administration
Angie Jones, Environmental Health
Trevor Warner, Communications Manager

Scott Paxman, Weber Basin Water C.D.
Teena Horlacher, Davis Correspondence
Kathy Thurston, Davis County Water
Elaine Oaks, South Davis Water District
Ron Morlensen, South Davis Water District
Lorna Rosenstein, Waterwatch of Utah

Welcome/Call to Order (0:00:00)

(Brandon Hatch)

The meeting of the Davis County Board of Health was held Tuesday, November 12, 2024 at the Davis County Health Department, Board Room, 22 South State Street, Clearfield, Utah. The meeting was called to order at 7:35 a.m. by the Board of Health Chair, Mr. Brandon Hatch.

Review Minutes (Action) (0:00:00)

(Brandon Hatch)

The minutes from the August 20, 2024 meeting were presented to the members and reviewed.

Mr. Brandon Hatch presented a motion to approve said minutes. Dr. Gary Alexander motioned for the minutes to be approved. Mayor Joy Petro seconded the motion. All were in favor, the vote was unanimous.

Legal Review of Utah Safe Drinking Water Act (Information) (0:0:07)

(Neal Geddes)

Mr. Neal Geddes, Davis County Chief Deputy Attorney, provided an overview of the Utah Safe Drinking Water Act. This act is what governs water fluoridation in the state of Utah. The act creates a drinking water Board, however the role of the Board of Health department is limited. Fluoride is put in and taken out of the water by public vote. The act outlines the methods in which fluoride can be put onto the ballot for public vote.

Mr. Geddes explained that the reason for this review is due to a recent court ruling out of California that states there is an association for risk to human health. The judge ordered the Environmental Protection Agency (EPA) to review the evidence and studies. However, no timeline was given to the EPA.

Mr. Brian Hatch gave more context to the study that was referenced in the California court. He explained that the literature studied fluoride that was naturally occurring at 1.5 mg or higher. It was concluded that there was a moderate risk of association. He explained that federal regulations can't mandate fluoride, it is a state issue. The state gave the responsibility to the voters. Board of Health members engaged in questions about the current and past fluoride levels within the county and how it relates to the levels of fluoride in the studies conducted.

Public Comment (*Information*) (0:17:18)

Ronald Morlensen, PhD - Chairman of the Board of Trustees for South Davis Water District

Mr. Morlensen shared that their Board was all in attendance. He explained as elected officials, it was their responsibility to ensure that they are up-to-date on what is happening with fluoride and water safety. It was asked if the Board of Health was to agree to the proposal by Weber Basin, that it be unbiased, based on the most updated empirical evidence available, and that it be done quickly. It was noted that water fluoridation is a concern of the next presidential administration, so there may be federal changes in the near future.

Ms. Lorna Rosenstein, Waterwatch of Utah

Ms. Rosenstein shared a handout to the members of the Board. Ms. Rosenstein presented information contained in the handout which included; a brief history of federal, state, and local fluoride regulations and guidelines. Ms. Rosenstein then shared a legal opinion on fluoride from the Davis County Attorney, Troy Rawlings, from 2011 which was requested by Waterwatch of Utah. Ms. Rosenstein then suggested that the Board of Health should turn off fluoride and declare it an "underfeed" while further studies are conducted. Ms. Rosenstein advocated for the Board of Health to explore all possible opportunities for solution and response to the recent court ruling.

Teena Horlacher, Citizen of Syracuse City

Ms. Horlacher shared information about her family and their involvement of sharing fluoride information via flyers to their community when it was on the ballot in 2000. She expressed heightened emotions and concerns about these issues. Additionally, she shared that she felt getting real information was impossible. She expressed her concern about whether the government should be forcing us to have fluoride in our drinking water. Ms. Horlacher said the vote in 2000 was close due to strong emotions and inaccurate information. She shared her efforts on filtering out fluoride in her home, but it is difficult to do for every single source of water. Ms. Horlacher expressed her concerns for this being a large issue and should not be dismissed. Ms. Horlacher expressed that the public should be better informed about what happened with the California ruling. Ms. Horlacher asked the Board of Health to be thoughtful and prayerful when working through this issue because we have to answer to God.

Consideration of Weber Basin Water C.D. Request (*Action*) (0:38:12)

(**Brian Hatch**)

Mr. Brian Hatch started by thanking the public for their comments. The time was turned over to the General Manager/CEO, Mr. Scott Paxman, of Weber Basin Water Conservancy District to share his perspective. Mr. Paxman shared his interpretation of the studies and shared his concerns for fluoridation, as well as the impacts it has on water operations both physically and financially. Mr. Paxman requested the Board of Health to take a serious look at the fluoridation efforts in Davis County.

The time was opened to questions for Board members. Several Board members asked questions regarding current water fluoridation practices, what is specifically requested of the Board, and about details from the California court case. After addressing questions, it was clarified with Mr. Paxman that Weber Basin is requesting the Board of Health form a committee to review fluoride efforts in Davis County and provide

suggestions for actionable steps, not to stop fluoride altogether. There was more discussion regarding the composition of the review committee and what resources would be needed.

Mr. Paxman shared additional information regarding the certificates of analysis that he receives from Thatcher Chemical, the supplier of fluoride for Utah, and their unreliability. A question was asked about switching suppliers if the accuracy is not acceptable, but there is a limited number of suppliers.

Mr. Brian Hatch shared his recommendation for the Board regarding the request. It was recommended that a sub-committee be created to review fluoridation in Davis County, starting with the water systems. Additionally, the Board members had a discussion about the responsibility and scope of the committee.

Mr. Brandon Hatch asked for a motion to form a sub-committee as suggested by Mr. Scott Paxman. Mr. Troy Wood motioned for the Board to form a committee as recommended by Mr. Brian Hatch. Mayor Joy Petro seconded the motion. All were in favor, the vote was unanimous.

Mr. Troy Wood asked about the statistics or a study of dental health between Davis County and Weber County to see if there is a positive impact of fluoridation over the past 20 years. It was brought up that due to the lack of funding, there have been no studies conducted by the state. Mr. Brian Hatch shared that it is also hard to study in Davis County due to multiple factors such as high dental insurance coverage. Mr. Brian Hatch explained that there are plenty of studies showing that fluoride is effective. However, the question is not about the effectiveness of fluoride, but rather the risk-benefit with this emerging information.

Mr. Brandon Hatch made a clarification on the previous motion. Clarifying that the motion is directing Mr. Brian Hatch to connect with Mr. Paxman and form a sub-committee. Mr. Brian Hatch asked for Board participation, it was discussed that there should be a Board member present on the sub-committee in order to bring back gathered information from the water systems.

There was more discussion about the composition of the committee and who would participate. Dr. Colleen Taylor volunteered to help participate on the sub-committee. It was also suggested to have a Medical Doctor on the sub-committee to help interpret the studies and literature. It was suggested that there should be a limit on the number of participants due to having too many opinions and poor efficacy. Additionally, it was suggested that the sub-committee be solely composed of Board members since the recommendation would be representative of the Board's opinion. Mayor Petro suggested that any board recommendations or positions regarding fluoride be submitted to the Davis County Commission with enough time to be considered an option for the 2025 general election.

Mr. Brandon Hatch asked for a new motion to form a sub-committee of Board members to form recommendations to the Davis County Commission on whether this should be a ballot issue; these recommendations would need to be presented prior to the County Commission. Mayor Joy Petro motioned. Mr. Troy Wood seconded the motion. All were in favor, the vote was unanimous.

Body Art Regulation (Action) (1:25:53)

(Jay Clark)

Jay Clark presented on changes to the Body Art Regulation. Jay Clark requested approval to hold a public hearing regarding the proposed changes to the regulation.

Commissioner Kamalu made a motion to take the Body Art Regulation to a public hearing. Dr. Gary Alexander seconded the motion. All were in favor, the vote was unanimous. Mr. Brandon Hatch will preside as the hearing officer.

Budget Update (Information) (1:32:53)

(Diana Reich)

Diana Reich presented a budget summary. It is projected to add money to our fund balance this year. Mr. Brian Hatch reported that our FY2025 budget is submitted and should be on track for approval. Additionally, Mr. Hatch reported that this is the first time we are operating in a deficit and will have to use a portion of the fund balance to supplement funds. We will still have a strong fund balance. We have not had a property tax increase. Revenues are at \$21.3 million and expenditures are \$21.9 million.

UALBOH Report (Information) (1:36:16)

(Brandon Hatch)

Mr. Brandon Hatch reported that there has not been a UALBOH meeting since our last meeting.

Director's Report (Information) (1:36:22)

(Brian Hatch)

Mr. Brian Hatch reported on budget items during the budget update. Additionally, Mr. Brian Hatch expressed his appreciation to our Attorneys Department to help the Health Department navigate the complexities of fluoride. Mr. Brian Hatch reaffirmed to the Board that there are two sides to every story, and the Board is operating as it should.

Commissioner's Report (Information) (1:40:32)

(Lorene Kamalu)

Commissioner Kamalu expressed her trust in our institutions and to reiterate facts, especially during public meetings.

Chair's Report (Information) (1:41:45)

(Brandon Hatch)

Mr. Brandon Hatch had no items to report.

Meeting Adjourned (1:42:45)

(Brandon Hatch)

Mr. Brandon Hatch made a motion to adjourn the meeting. Lorene Kamalu seconded the motion. The meeting ended at 9:12 a.m.