UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE
PROVO, UTAH 84601

MINUTES
January 26, 2015

Members Present:			
Clyde Nielsen, RPh, Chair	X	Teresa Tavares, Vice Chair	X
Gaye L. Ray, RN	Excused	Mayor Jeff Acerson	X
Superintendent Keith Rittel	X	Diane Lohner	X
Dianne C. Carr	X	Commissioner Larry Ellertson	X
Henry M. Yeates, MD	Excused		

Others present: Dr. Joseph Miner –Utah County Health Department (UCHD) Executive Director
Debbi Solen – UCHD Secretary
Number of people attending who signed the attendance sheet – 10

1. Welcome by Clyde Nielsen

2. The Board recognized Doug Witney, former County Commissioner, and thanked him for his dedicated service as a Board member. Commissioner Larry Ellertson was introduced as the new commissioner representative on the Board.

3. Elections for Board of Health Chair and Vice-Chair

MOTION: Dianne Carr nominated Clyde Nielsen to be the Chair of the Board which was seconded by Diane Lohner and passed by unanimous vote.

MOTION: Diane Lohner nominated Teresa Tavares to be the Vice Chair of the Board which was seconded by Dianne Carr and passed by unanimous vote.

4. Approval of the Minutes from the November 24, 2014 meeting

MOTION: Dianne Carr made the motion to approve the minutes, which was seconded by Teresa Taraves and passed by unanimous vote.

5. Adopt Fees for E-cigarette Regulation

The new Regulation for Retail Sale of E-cigarettes, Electronic Nicotine Delivery Systems (ENDS) and paraphernalia and E-liquid and Manufacturing of E-liquid was effective January 1, 2015. If the State passes a regulation that is weaker than ours, we can still follow our regulation. Permit fees will cover the cost of implementing this regulation. The retailers and manufacturers have until March 1, 2015 to become compliant. On January 27th and 29th educational training will be offered to all retail and manufacturing establishments. Informational training for all law enforcement and city business licensing departments in Utah County has been held. They have been very supportive of the regulation.

Health Promotions has sent out over 700 letters to all the retail and manufacturing establishments, law enforcement, city officials, schools and churches explaining the regulation. They have visited about 200 retail establishments in Utah County to give out "We ID" stickers stating that an individual born on or before 1996 will not be able to buy tobacco or E-cigarettes. The manufacturing establishments have all been visited so the regulation requirements could be explained.

The proposed retailer permit fee will cover the cost of retail compliance checks, at least twice a year per retailer. This includes reimbursement of the police officer's time, pay for the underage youth buyer time, Health Promotion staff time, mileage reimbursement and reporting. There are about 200 retailers in the County.

The proposed manufacturing permit fee will cover the cost for inspections conducted by the Environmental Health Division. Each facility will need to have an initial inspection and if necessary, a follow-up visit. There are 5 known E-liquid manufacturers in the County. If the facility doesn't meet the regulation requirements at the first inspection then a follow-up visit will be required. It was suggested that a follow-up fee also be charged to cover the increased cost.

Monies that are not spent on compliance checks and inspections will be used to take random samples of E-liquid for testing at the lab. Testing costs us about $110 for each nicotine level and would be much more for a complete analysis. If it is found that the labeling of the E-liquid manufactured in Utah County is not accurate then the inspector can pull the product. If the manufacturer is from out of State and the label is inaccurate then the inspector can pull the retailers license.

There is no funding for the ENDS Regulation and there is no taxation on E-cigarettes. There is a bill before the 2015 Legislature for E-cigarette taxation with most of the $10 million to go toward the school nursing program. There is tobacco funding but that money can't be used. A tobacco retail license costs $30 for 3 years and is so low because of the tobacco funding from the tobacco court settlement.

MOTION: Larry Ellerton made the motion to charge $100 for the retail permit fee and $250 for the manufacturing permit fee with a follow-up fee of $100 for either with the condition that in 6 months time we can evaluate the fees and make adjustments which was seconded by Dianne Carr then amended by Keith Rittel changing the follow-up fee to $150. This was passed by unanimous vote.

6. 2015 Legislature Bills Preview

The legislature meets this week through mid-March. Some of the bills being discussed are Medicaid expansion, air quality, age limit for tobacco purchase, seat belt usage, and the cow-share program which allows someone to own a portion of the animal so they can get raw milk. Governor Herbert has put a lot of thought into the Medicaid expansion and it seems to be a good plan.

UALBH will send out regular updates with more information that Debbi Solen will email to the Board members. Dianne Carr attends the UALBH meetings as our Board's representative along with Diane Lohner, who is Treasurer, and Gaye Ray, who is President. Dianne Carr says a personal email to each of our State legislators has more influence on them than a blanket one. Jeff Acerson will be attending many of the legislative sessions as a representative of Lindon City and will be happy to report back to us as well.

7. Measles Follow-up

Two un-immunized teenagers from Utah visited Disneyland and contracted measles. To date there are 87 cases in 7 states and Mexico with California having the most. Here in Utah there were about 400 exposures from the 2 active cases and of those 180 had to be quarantined as they did not have immunity. The quarantine seems to have been effective. There has only been one other case so far and that was with a close contact of the first two. Infants under the age of one are very susceptible as they are too young to get the vaccine. It spreads very easily from a cough or sneeze.

This outbreak has been a reminder of the importance of vaccines. Many employers are rethinking their immunization policies. The quarantine has been a hardship for many families but they have complied. The adults have not been able to go to work and the children were not allowed to go to school. All of the local daycares have been cooperative.

There is a one-time fee of $25 for a vaccine exemption. This record stays on file with the State and the school. The fee helps to pay for the many extra staff hours of work required with each outbreak but doesn't begin to cover the actual cost. About 5% of Utah school-aged children have a personal exemption. Measles is very common in Europe.

Unimmunized children are much more expensive than immunized children. Studies have shown that unimmunized children live in unimmunized neighborhoods so if there is an outbreak the disease can spread quickly. This latest measles outbreak cost about $80,000 in personnel time. The $25 exemption fee doesn't begin to cover the actual expense of investigation, monitoring and control of disease outbreaks.

8. Utah County Clean Air Task Force Update

January 29th at 11:00 AM in this building the State DEQ will hold a Public Hearing to receive comment on the proposed Wood Burning Ordinance. They are expecting a lot of people to attend. One wood burning stove pollutes about the same amount as 90 SUVs or 3000 gas fireplaces. There is some evidence that the clean burning stoves may not be so clean. Superintendent Rittell reported on some interesting articles on the internet about smog-eating concrete.

In 2014 the County Commissioners passed an anti-idling addition to their Motor Vehicle Emissions Ordinance that says no one should leave their car idling for more than 2 minutes in any 15 minute period. It is meant to be enforced as educational rather than punitive.

9. Board Member Feedback from Constituents

Environmental Health's Air Quality is seeing more neighbors reporting neighbors who are burning wood on "No Burn Days". Board members have heard positive comments about the E-cigarette Regulation and the efforts being done about our air quality.

Some are wondering what is being done about the Trampoline Gyms. No one has heard more about the young woman who was hurt, possibly paralyzed, last November at one of the Trampoline Parks. Some injuries are apparently seen at the BYU Medical Center. Eric Edwards said he would contact BYU Medical Center for regular injury reports. There seems to be fewer injuries since the media started reporting that the Board was discussing a proposed regulation. A couple of them have made some safety changes. An updated injury report will be compiled and sent out just before the next Board meeting.

Nursing staff say many families who have exempted their children from vaccines have been coming in for the MMR vaccine. They still don't want any other vaccines, but they want the MMR because of the measles outbreak.

10. New Employees

Board members were referred to the list of employee changes.

11. Other Business: None

Our next meeting will be March 23, 2015.

MOTION: Jeff Acerson made the motion to adjourn the meeting which was seconded by Diane Lohner and passed by unanimous vote.

Meeting adjourned at 5:30 PM.

Joseph K. Miner, MD

Joseph Miner, MD
Executive Director
Utah County Health Department

Clyde H. Nielsen RPh

Clyde Nielsen, RPh
Chair
Utah County Board of Health