Davis County Board of Health
May 12, 2020

Present:
Troy Wood, Chair (Virtual Attendance)
Brian Cook, Vice Chair
Scott Zigich
Mayor Randy Lewis, Immediate Past Chair
Lorene Kamalu, Commissioner
Dr. Gary Alexander
Dr. Ryan Stewart
Dr. Colleen Taylor

Excused:
Ann Benson

Department Staff:
Brian Hatch, Director of Health
Liz Carlisle, Administrative Asst
Dave Spence, Deputy Director, Health
Wendy Garcia, Division Director, FH&DC
Rachelle Blackham, Division Director, EHS
Neal Geddes, ATTY

Visitors/Guests:
Dawn Fitzpatrick, Layton City Council

The meeting of the Davis County Board of Health (Board) was held Tuesday, May 12, 2020 at the Davis County Health Department, Board Room, 22 South State Street, Clearfield, Utah. The meeting was called to order at 7:34 a.m. by Mr. Troy Wood.

Welcome
Mr. Wood welcomed the Board and staff to the meeting.

Minutes (Action)
The minutes of February 11, 2020 and March 31, 2020 were presented and reviewed.
Mayor Randy Lewis motioned to accept the minutes of February 11, 2020 and March 31, 2020. Dr. Ryan Stewart seconded. The vote was unanimous.

Reappointment Recommendations (Action)
Mr. Brian Hatch presented an executive committee recommendation to reappoint Mayor Randy Lewis and Dr. Gary Alexander to the Board, whose terms are ending on May 31, 2020.
Mr. Scott Zigich motioned to approve a letter to commission requesting reappointment of Mayor Randy Lewis and Dr. Gary Alexander. Dr. Stewart seconded. The vote was unanimous. Mr. Hatch will submit the recommendation to the commission.

Public Hearing Report School-Based Employee Vaccination Regulation Presentation (Information)
Ms. Wendy Garcia reviewed the School-Based Employee Vaccination Regulation, presented on February 11, 2020. The regulation:

- Defines what immunizations are required
  - MMR, Tdap, and Varicella Vaccines
- Recommends three additional vaccines
  - Hepatitis A, Hepatitis B, and Annual Influenza
- Defines requirements for proof of immunity
  - Clinically documented vaccination dates, antibody titer, and/or present exemption
- Requires school-based employees to maintain their own immunization-based records and show proof upon an outbreak in their facility
- Describes the process for obtaining a medical or personal exemption and when an exclusion at the school would take place
- Outlines the public health authority for exclusions
- Encourages schools to create a policy to address this regulation in their system

Ms. Garcia reviewed key reasons for implementing the regulation, including:

- Schools are potentially high-risk areas for transmission
- Immunizations are equally important for staff and students

- School-based personnel are not currently required to have vaccinations to be employed
- Vaccines have prevented cases and saved lives.

A public hearing for the regulation was held on April 2, 2020 and Mr. Brian Cook served as the hearing officer. Mr. Cook reported that one community member, Dr. David Cope, attended and represented the Northern Utah Immunization Coalition. Dr. Cope vocalized support of the new regulation. Public comment was open through April 20, and no additional comments were received.

Commissioner Lorene Kamalu asked Mr. Zigich about the policy for schools to keep or retain records. Based on an earlier discussion, it will be left up to the schools. Davis schools would require new employees to show immunization before hire, and would request immunization records for other employees at the time of outbreak.

Approve Findings of Fact and Conclusions of Law (Action)
Ms. Garcia requested that the Board approve findings of fact and conclusions of law.
Mr. Cook motioned to approve the findings of fact and conclusions of law and Commissioner Kamalu seconded the motion. The vote was unanimous.

Adopt School-Based Personnel Immunization Performance Regulation (Action)
Ms. Garcia requested that the Board adopt the School-Based Personnel Immunization Performance Regulation.
Mr. Cook motioned to adopt the School-Based Personnel Immunization Performance Regulation and Dr. Alexander seconded. The vote was unanimous.

Proposed Amendments to the Illicit Discharge Resolution (Action)
Ms. Rachelle Blackham proposed amendments to the Illicit Discharge Resolution. The original document was requested by the Davis County Stormwater Coalition, which is comprised of MS4 (Municipal Separate Sewer System) permit holders in Davis County. The permit holders are usually city members and county public works employees. Their main role is to protect water quality through protecting stormwater, and to engage in outreach and education efforts.

The Illicit Discharge Resolution document:

- Outlines procedures for managing and enforcing illicit discharges
- Formalizes the role of the health department
- Provides necessary documentation for coalition members to meet state and federal requirements

The following are proposed amendments to the Resolution:

- Minor language changes to provide clarification
  - Adjusted wording to be clear that state, county, and city can take enforcement within their purview and that enforcement will be conducted by the entity best suited (e.g., if the state holds the permit, the state enforces)
- Removed section that county will not be enforcing local penalties
  - Cities can now participate in the entire enforcement process
- Added section to adjudicative hearing procedure policy to penalty fee sharing
  - Regardless of the city ordinance, if there is a large illicit discharge and a penalty is assessed, the health department will share the money with the city
  - Any payment for a penalty over $750 will be shared with cities, which was done in an effort to have the money go back into stormwater efforts

The Coalition is in full support of the changes and wrote a letter of support acknowledging the shared goal of preserving water quality.

Mr. Zigich asked Ms. Blackham about the mediation process for someone that is charged with an illicit discharge and if the health department would continue with their meditation policy and procedure, or if this would defer to the city.

Mr. Neal Geddes stated that the cities generally defer to the county's efforts for mediation. He explained the process of settlement conferences and that the mediation procedure is about making it an educational process. The individual learns why it is important, and the city representatives are invited to come and be part of that process as well.

Mr. Hatch added that if the city feels like they need to be doing something a certain way, the health department can defer to them. Before, the health department had to engage and collect penalties in behalf of the city and their ordinance. Now, if the city chooses to take on the mediation process, they are welcome to do that. For cities that want to defer to the county, when the health department goes into the adjudicative hearing process and there is a penalty that is assessed, we will give some of that money back to the city and the Coalition to perpetuate their activities for protecting stormwater in their cities.

Mr. Zigich asked if the adjudicative process will stay at the county. Mr. Hatch explained that if the health department is the lead on it and they defer to us, then we will run it through the adjudicative process. If the city wants to do it themselves, they are on their own, using their system to go through that. If the state does it, it only goes through the state. Mr. Geddes stated that now there is clearly only one entity doing the investigation and collecting any civil penalty. In the past, they may have been double cited by the health department and the city. Now there is only one investigation and one penalty. Mr. Cook wanted to know if the city collects, will the health department be involved. Mr. Hatch, responded that generally city ordinances are much smaller penalties and most will defer to the one that can benefit the most.

Mr. Cook wondered if the process happens only with the city, will the health department know about it. Mr. Hatch replied that most of the time, the health department is part of the process. Responses go to the Environmental Health Division and the health department investigates it. Mr. Hatch reiterated that the health department will still work with each city. The part that is being clarified is who will do the enforcement and penalty piece. The Environmental Health Division will still be available 24/7 to help respond when needed. The benefit of the amendment is that the money can stay local and go back into the stormwater program, through both the health department and cities.

Mayor Lewis wanted to know what the most common discharges were. Ms. Blackham answered that carpet cleaners often get dumped into the storm drain when people are in a hurry. The health department and Coalition have pamphlets and provide education to try to avoid this. Mr. Hatch said that we need to educate the public that what goes down the gutter goes into the storm drain system, including oil and paint.

Ms. Blackham requested that the Board approve the amendments to the Illicit Discharge Resolution.
Mr. Cook motioned to approve the amendments to the Illicit Discharge Resolution. Mayor Lewis seconded. The vote was unanimous. The motion carries.

COVID-19 Response Update (Information)
Mr. Hatch provided an update on COVID-19 in Davis County:

- As of yesterday, we have had 338 cases reported during this outbreak, over an 11-week period, with 1 being a probable case
    - A confirmed case is someone that has had a positive PCR test
    - We have started adding probable cases now, based on IgM and IgG antibody testing

Commissioner Kamalu asked to clarify IgG and IgM definitions. Dr. Stewart stated that they are two different types of globulin. Mr. Hatch explained that IgM is available during the active response.

IgG shows that a person had it and is going through a different phase of the immune response. At this time, we have only been receiving IgG results.

- The disease takes up to 14 days to present in an individual
  - On average, it manifests 7-10 days after exposure
- For our epi curve, since Week 5, we have seen a decrease in percent change each week, however, last week, we had an almost 35% increase in numbers
- Right now, we are seeing a stabilization in the data, or a plateau
- We have had 27 hospitalizations out of the 337 cases, which is about an 8% hospitalization rate
- The biggest burden based on rate of cases by age group is in the 25-44 years of age population
- For exposures, 11.3% of cases have been exposed through travel, 55.8% of cases were exposed through a known contact, 31.2% had an unknown exposure, meaning that we could not identify where they were exposed, and 1.8% of cases are still under investigation, meaning we are still conducting the investigation
- For testing, we have had 13,604 residents get tested and 337 have tested positive, and 13,267 have tested negative
  - Our positivity rate is 2.5%, which is good
- Among our small areas, Bountiful has the highest rate, at 177.64 cases per 100,000 population
  - Currently our hotspots are Bountiful, Woods Cross, and North Salt Lake, however North Salt Lake cases are decreasing
- About 82% of our cases have recovered
- We have had two deaths in Davis County
- Davis County COVID-19 data can be found at daviscountyutah.gov/health/covid-19/dashboard
- Key indicators will continue to be assessed to determine how well we are responding and managing the pandemic. These indicators include:
  - Proxy growth rate
  - Proxy transmission rate
  - Hospitalizations
  - Testing capacity
  - Health department capacity for investigations and contact tracing

Mr. Hatch provided an update on statewide initiatives related to COVID-19:

- Davis County has been invited to participate in the statewide HERO Project, which includes randomized testing to learn more about the story of COVID-19 in our community
  - Sampling will be done to learn more about active cases and those with antibodies
  - We have a low risk population and high-risk population in three different areas that will be part of the study if they so choose
- Statewide, we have been looking at disparate populations and there have been discussions on ethnicity as a factor.
  - The Hispanic population has a higher rate, but occupation may be playing a bigger role than simply ethnicity, and those who are in service industries are at a higher risk than those who are able to stay home
  - COVID-19 is no respecter of individuals, and there are many factors, including timing and environment that play important roles

Dr. Alexander commented that he has made more calls to the health department in the last 11 weeks than he had in the years before while he has served on the Board. He gave kudos to the health department staff and said that when he has called, the staff have been professional, helpful, and knowledgeable. He and the rest of the Board are willing to help and be supportive during this time.

Mr. Cook asked how much suffering is involved for those who have passed away from COVID-19. He also wanted to know how COVID-19 compares to the regular flu, if we looked at the data and graphs in the same way. Mr. Hatch responded that we have a 1% mortality rate for COVID-19 right now, and regular flu is 0.1%. Comparing diseases is tricky, because we have to compare not just the disease, but the whole system. When comparing the diseases, they are not much different as far as what they impact in the body. The big difference is that we do not have an effective treatment or a vaccine for COVID-19.

Mayor Lewis replied to the question of how severe is it for those who have passed away by sharing what he learned from visiting the wives of the two residents who passed away from COVID-19 in Davis County. He knows both of the families really well and both of the wives told him that he should do whatever he could to stay away from this, because it is awful. Both of them had it and both of their husbands died from it. It can be mild, but they said it was severe for those who had died from it. It can go from one extreme to the other. Dr. Alexander agreed. Dr. Stewart stated that the only patient that he has seen that had it was sick, but was not super sick, and was younger and did not have comorbidities.

Mr. Zigich asked if there are agencies and businesses in the county that are not following the guidelines and if the Board needs to intervene. There is one that they are becoming aware of at the school district that is blatantly thumbing their nose at some of the restrictions. He asked if the health department is seeing problems and how they are addressing them.

Mr. Hatch answered that the vast majority of our community are doing the right thing. There is always a percentage that we might have a little more difficulty with and we are aware of those. Our approach is always to educate first and enforcement is a last resort to get compliance, but most people will do the right thing. We have found that with most businesses, if we can show them the pathway and help them understand it, they cooperate. The community itself also helps to address issues with businesses by not engaging with businesses that are not following guidelines.

Budget Report (Information)
Mr. Zigich mentioned that the health department staff have expended a lot of time and hours on this response and it looks like we are doing well with the budget, but at some point, we should look at moving some money around for payroll incentives at the end of the year to recognize their work and dedication. Commissioner Kamalu stated that there have been some opportunities for some of the salaried employees.

Mr. Hatch said that the county has done a good job, and as of the first quarter, things are looking okay. The State of Utah did fund local health departments with emergency funding. There has been a loss of revenue from some of our services that we have not been able to provide, such as immunizations and home visitations, but all of the employees that we have moved over to the response have been covered under state dollars. We are getting another allotment of emergency funding and this should make us whole and give us enough to operate through May and June.

Mr. Hatch stated that our fund balance for the health department is fine and talking with our county policy group, we will be able to weather this better than most. We will probably see a loss of revenue this year, and hopefully we will bring that back in with some of the federal money that we are receiving.

Mr. Cook agreed with Mr. Zigich that we want to make sure that people are compensated properly for the work they have done. Mr. Hatch was appreciative and said that we defer to the county because we are part of their system, and that they are taking good care of us currently. Commissioner Kamalu stated that HR thought of that and have talked to Mr. Hatch about how much extra time people were working and it has been significant. Mr. Hatch stated that a good percentage of our staff have been working from home and we have been forced to look at new policies and procedures. Employees that have needed to take leave have been able to do that.

Mr. Zigich stated that there have been some nice things done, especially from Mr. Wood, the Chairman of the Board, thanking the health department and we want to continue that thank you and it would be nice if it could be monetary. Commissioner Kamalu said that was a very observant request.

UALBH (Information)
Bypassed this update because Ms. Ann Benson was unable to attend.

Director's Report (Information)
Mr. Hatch stated that the health department is trying to keep up with all the day-to-day work, on top of the crisis work. There has not been a single individual that has not stepped up and lifted where they stand. Our Senior Services are serving the at-risk population and have done a tremendous job to provide wraparound services, such as Meals on Wheels, transportation to appointments, and shopping for them. Federal dollars are coming in to support that vulnerable population. We have two different missions here, but both are COVID-19 related, and everyone is working extremely hard.

Mr. Hatch stated that the great work of the Board and a lot of the policies have set us up to function efficiently. He thanked the Board for having the foresight to create the health department the way that it is and that it is functioning properly because of how it is set up.

Chair's Report (Information)
Mr. Wood said that this is the most significant health event that the health department has had to deal with over the last 20 years and possibly for the next 20 years. These are moments to never be forgotten and to be learned from, and this is where heroes emerge, and the health department team are some of those heroes.

Commissioner's Report (Information)
Commissioner Kamalu reported that Ms. Kristy Cottrell was on a national call for Senior Services and was asked to be one of three presenters to explain how our more vulnerable (age-wise) populations are navigating this challenge.

The collaboration and partnership of our cities has been remarkable. They meet every Monday on a call with Mr. Hatch. Without the cities believing, trusting, and doing things in alignment with the county, we would probably not have been as successful. The data shows that our citizens and businesses for the most part, have been compliant. We have had thee press conferences with Weber and Morgan to collaborate and have continuity with Public Health Orders.

The media had one question, looking back, would you have done anything differently? Commissioner Kamalu responded that we nailed it, and if you look at a kind of case study by comparing us to Utah County, who did not issue a Public Health Order, you see the difference in the numbers. They are climbing and have had four times the number of illness as us.

The support of the Board has been great, from the emergency meeting, to supporting in your different disciplines and expertise, it has been remarkable. The five CEOs of hospitals in Davis and Weber working together has been remarkable as well. Mr. Hatch and his team have led out and have been asked from the beginning by the governor, to advise, and some of the things that they have written up as guidelines have been adopted by the state. President Adams is using our documents. We have been in great hands and the whole team have been heroes. She is super proud and hopes that we continue to have low numbers until we have treatment and vaccine.

Adjournment
The meeting was adjourned at 9:16 a.m.

NEXT MEETING: **August 11, 2020**
7:30 a.m.