

SOUTHEAST UTAH HEALTH DEPARTMENT

BOARD OF HEALTH MEETING

March 22, 2022 - 5:00 pm

Green River City Office-460 E Main, Green River, UT

PRESENT

CARBON COUNTY: Debbie Peet (Chair), Commissioner Jensen, Zak Konakis-Virtual

EMERY COUNTY: Kathi Kearney, Kelli Wilson- Virtual, Commissioner Wilson

GRAND COUNTY: Breann Davis-Virtual, Rhiana Medina, Vice Chair

EXCUSED:

ADMINISTRATION: Bradon Bradford, Tracy Randall, Delia Paletta, Orion Rogers, Gwen Anderson, Julie Mathews, Brittney Garff

I. **Call Meeting to Order** – Meeting was called to order at 5:05 p.m. by Debbie Peet.

II. **Public Comment** – Debbie asked if there were any public comments, there being no public comments, Debbie closed the public comment.

III. **Minutes for January 25, 2022 - Discussion and possible approval**

Debbie asked if there were any questions or corrections regarding the January 25, 2022 meeting minutes. There were none.

Motion – (Commissioner Jensen/Kathi Kearney) Move to approve the January 25, 2022 meeting minutes. Unanimous

IV. **Budget**

A. **Check Register– Question, clarifications possible approval** – Brady and Tracy stated that no questions or concerns were received regarding the Check Register and Disbursements Listing reports.

Motion – (Kathi Kearney/Commissioner Jensen) Move to accept the Check Register and Disbursement reports as presented. Unanimous

B. **Revenue Changes – Discussion and possible approval** - Tracy stated that there were two new contracts that were added. One was for the PPPHEA Expansion in the amount of \$23,950 to cover the costs of quarantine and hotels for individuals that test positive for COVID-19. At the beginning of COVID-19 the SEUHD did have this expense but there has not been a need to quarantine anyone at this time. The second contract is for \$9,660 for the VIPP Developmental Disabilities. This is a contract that Health Education received. It is to help improve the health of people with mobility limitations and intellectual/developmental disabilities. Health Education will be working with the Health Equity Program to meet the goals of the contract.

Motion – (Breana Davis/Kathi Kearney) Move to accept the Revenue Changes as presented. Unanimous

V. Policy and Procedure – Discussion and possible approval

- A. SEUHD Exercise Policy – Brady stated that there was a slight modification to the policy to clarify issues that have risen and to make it more accessible while still maintaining some degree of control and to prevent abuse. Due to scheduling, it was difficult for staff to use the policy. The policy now indicates that in order to qualify to use the policy, employees must work a minimum of six hours the day that exercise is claimed and it cannot be claimed if the employee has over 40 hours that week. Exercise time has to be approved by the supervisor.

Motion – (Kathi Kearney/Breana Davis) Move to approve and accept the Exercise Policy as presented. Unanimous

- VI. Open and Public Meeting Training** – Brady emailed the training information to the board. Brady stated that the training is required to be done yearly and presented the summary document that was provided by Christian Bryner as training for the board at previous meetings. Brady reviewed the policy declaration of meeting agendas, emergency and electronic meetings, the elements of a meeting, executive vs legislative and closed meetings. The requirement of electronic meetings has been waived for now. Debbie asked if the board needed to complete this training online. Brady stated that the training online is for members serving on the board and that it is required to be done every four years. Tracy stated that the auditors review our board meeting minutes to ensure that the training has been offered to the board during a board meeting.

- VII. Parents as Teachers Program (PAT)** - Gwen Anderson, coordinator and Julie Mathews, RN introduced themselves to the board and provided a presentation of what the PAT program has provided during the last two and a half years. Gwen stated that a risk needs assessment was done by the Utah Department of Health Office of Home Visiting in our local communities and noticed that they were at a high-risk rate. They found that a large number of babies were born premature and that there were a lot of families that were addicted to opioids and had a high-level of tobacco use. The SEUHD applied for the grant and was awarded the grant to become an affiliate for the program. To date, the PAT program has served over 61 families and 90 children.
- The program employs two full-time RNs as Parent Educators (Julie Mathews and Amy Ruggeri) and one full-time Coordinator (Gwen Anderson) in the Price office. Jill Gordon is the Parent Educator in Moab and Jessie Jewkes in the Castle Dale office. The PAT nurses had a full caseload and still managed to work through COVID19 vaccinations and testing. In order for families to qualify for the program they have to be low-income, on WIC and/or on Medicaid. Julie stated that children that have diabetes, mental health issues, are abused, or are in an unstable home are tracked. Adoptive kids and kids under DCFS guardianship are on the program. Gwen stated that the program will be full by April and will start a waiting list for families wanting to be on the program. A group connection is held every other month in order to get families together to network and work on skills development.
- Regarding the flyer information, Kathy asked if the Key Facts statistics were national or local. Gwen stated that they were local numbers and that the numbers can be higher because some families' do not sign a release of information therefore their numbers are not recorded. Breann asked what the age range was for children that can be on the program. Gwen indicated that it was for mothers prenatally and infants up to kindergarten age and families are encouraged to stay on the program for at least one year. Debbie asked that when a PAT family moves from the local area, are they able to automatically qualify to be on a PAT program in their new location. Gwen stated that if there is a PAT program a referral is sent to their office and if there isn't a PAT program, families are referred to the school district and the Headstart Intervention program. Kathi asked how the program interfaced with Early

Intervention. Gwen stated that when a referral is received, an assessment of their needs is made and then a determination is made whether the PAT program can meet their needs. If there are developmental concerns such as speech, they are referred to Early Intervention. The PAT program provides flyers and information to clients of the local agencies that offer services. Debbie thanked PAT staff for presenting their program to the board.

VIII. SEUHD Pool/Spa Inspection and Closure Policy - Brady stated that this was not a new regulation or policy but a series of steps to be followed in the event that a pool is closed. Orion stated that this pool policy is basically a tool for staff to utilize in the event that they have to close a pool. It provides the business owner/operators with what is expected and the process after a pool is closed. Orion introduced Hailey Gardner, who oversees the pool program and Marie Brophy, a part time employee that collects pool samples. Maire has a science background and also was the one that put the policy together which was then reviewed by the Environmental Health staff. Hailey gave a background as to why this was needed and indicated that she has been testing pools since 2019 and had noticed that oftentimes pools did not meet the correct chlorine and ph. levels required. Due to the fact that there was insufficient staff available, nothing could be done to address all the pools. Marie was hired to do the testing of pools and spas and when they are not within the normal limits or the limits that are set by the State, she notifies Hailey who can then go talk to the owner/operator of the pool. Marie stated that there are a large number of pools that are failing and that the policy is a uniform way of what they can do when they fail, what the responsibility of the permit holder is, follow-up and at what point the pool is closed. Kathy asked if the samples were sent to the Price office. Orion stated yes, they are mailed to the Price lab for testing. Debbie asked if testing was done for private pools. Orion stated that no, only public pools and pools that are shared by more than four units are tested. Commissioner Wilson asked if that included Airbnb's. Orion stated that they are not regulated under the present rules. Debbie asked if the policy needed board approval or if it needed to go to public comment. Orion stated that it did not need to go to public comment and that it was brought to the board as an action item to be adopted into the current policy and no amendment needed to be made on the current policy. Brady stated that the policy is a reflection of what is in State code and how the SEUHD staff reacts when the code is broken. The policy only applies to a small percentage of repeat operators. The policy will help in the reduction of illnesses and skin diseases that are caused by pools that are not maintained properly.

Motion – (Commissioner Larry Jensen/Kathi Kearney) Move to approve the SEUHD Pool/Spa Inspection and Closure Policy with the change of the word “protocol” to “policy” on the document title. Unanimous

IX. 2022 Environmental Health Fee Schedule – Orion stated that the sections of the fee schedule that were struck through were the items that were being updated. The first update was to the Contamination Clean-up Permit fee which was \$212.00. CLEHA had put in place a Statewide fee of \$400.00 to be consistent with all health departments in the State. The intention of the High-Density Housing Permit fee was to cover the cost of information gathering in the event that there was a problem with a facility that was out of compliance. Orion stated that the SEUHD staff met with members of the Apartment Association of Utah who expressed concerns with the fee being in place. It was negotiated to remove the permit fee and add a closed-to-occupancy fee to avoid potential legislation. The Food Service category, a fee of \$158.00 was added for businesses that did not post their inspection grades. The Permit Reinstatement after Revocation/Suspension and Closed to Occupancy Reopening fee

was set at \$530.00 for each category, making the fee more uniform and consistent with the fee charged by other State health departments. SEUHD staff spend a large amount of time educating and working with local businesses. Mobile Food Service - Due to the legislation bill that was passed, the requirement for secondary permits state-wide was removed. All State health departments have to recognize their issued local service permits. Commissioner Wilson asked if food truck kitchens were inspected. Orion stated no, there are no commissaries in our local communities. The food trucks need to prove that they can operate 100% independently without the means of additional storage or sinks to wash their equipment.

Waste Tires – There are no waste tire facilities in our communities. The category and fees were added in the event that one was opened.

Regarding the hourly rate of \$79/hour, Orion indicated that the additional fees were added because it is taking staff a considerable amount of time to work with the businesses that have revoked/suspended permits. Commissioner Wilson asked if the rate being charged started from the time staff left their office and returned. Orion stated yes, from the nearest SEUHD office location. Commissioner Wilson expressed his concern with the \$79/hour fee and the addition of a mileage fee. Orion stated that the fees being charged are much lower than what the other State health departments charge. Brady stated that it is important to recognize that there is no fee charged to go do a routine inspection. It is charged when a business is not responding to the SEUHD recommendations and education being provided and staff have to go above and beyond unreasonable interaction. Debbie asked if the fee schedule had to go to public comment before possible approval. Orion stated no, it is an update. Brady stated that the board can request that it go to public comment but it does not need to. Discussion followed regarding the \$79/hour inspection fee. Orion stated that when a new construction is in process, the SEUHD is contacted by contractors' numerous times in order to ensure that the project is in compliance. Also, the Salt Lake Health Department charges per square foot and a large pool would cost upwards of \$3000.00 for a plan review. Kathi asked why a \$15.00 fee is being charged to pool operators if they have already taken a course. Orion stated that the SEUHD used to provide the course and as part of their course fee they had to register with the SEUHD. Commissioner Wilson asked if the fee for certification of illegal installations was for sewer. Orion stated, yes, it is for onsite wastewater, septic tanks and drain fields. Debbie asked if fees are at the discretion of the inspector. Orion stated yes, to a point. Brady stated that that point is discussed in government circles everywhere and ultimately that is where hearings come into place to make a ruling on a fee schedule or punitive measures that take place. Orion stated that developers are provided with the adjudicated hearing procedures should they want to pursue a complaint. Commissioner Jensen asked if there were a number of businesses that have issues with paying the extra fees. Orion indicated that there wasn't a lot of businesses that complained and that everyone tries to do a good job to be in compliance. Brady stated that he would provide the board with information on how often and how many fees have been imposed on a business during the last couple of years.

Orion will work with Tracy on putting the information together. Commissioner Wilson asked if the bed and breakfast fee was yearly as well. Orion stated yes, up to six rooms. Commissioner Wilson asked how long it takes to inspect a hotel. Orion stated that the lodging facilities are not subject to inspections but that the fee is used to provide services that the SEUHD offers to the transient population in our communities. The SEUHD does not receive any funding to provide public health services to the transient population and through regulation and permitting of lodging facilities, this allows the SEUHD to provide those services that otherwise would be unfunded. Brady stated that the fact that Grand County has a population of 10,000 people and the SEUHD funding is based on that and when the number increases to 50,000 due to short term seasonal stays in the community, that impacts the environmental health

requirements. Discussion followed regarding inspection fees.

Debbie asked that data be presented by Tracy and Orion and that the fee schedule be addressed at the May board meeting. Discussion followed. Commissioner Jensen stated that a certain portion of funding goes into the SEUHD from multiple sources to pay for expenses and since Moab has to have three staff members to do inspections, etc., is the funding received from those other sources sufficient to pay for staff expenses. Funding received from fees should be used to help cover expenses. Orion stated that when the fee schedule was put in place, the Environmental Health program had a deficit between \$200-\$300K per year which was being made up by other sources. When the fee schedule was put in place in 2021, there was a deficit of \$60K which shows that these fees don't completely cover the program expenses and the goal is to break even. A full-time inspector has been hired for the Price office and will start in April that will need to be funded as well. Discussion followed.

Orion offered to meet with Commissioner Wilson and Commissioner Jensen and review the fee schedule. Commissioner Jensen stated that that did not need to be done, just an in-depth review of what is being done with the fees and why they are being charged. Brady stated that that was the mission of the board, to govern the budget and also what impacts the public. Additional information will be provided to the board which will provide context as to what the general funds are which at this time is \$11K which goes to cover the inspection activities of staff and also what is being received in terms of fees. Debbie recommended to table a motion on the fee schedule and reviewing the additional information at the May board meeting. Commissioner Wilson thanked Orion for his work in the Environmental Health program.

Motion – (Commissioner Larry Jensen/Commissioner Kent Wilson) Move to table the 2022 Environmental Health Fee Schedule until further information is received and review at the May board meeting. Unanimous

- X. Food Establishment Policy (update to 2018 policy)** – Orion stated that this policy had guidelines that needed to be updated as well. The changes to the guidelines were done in order to make them consistent with the reinstatement fee and fees that were on the fee schedule. Orion reviewed the changes made to the guidelines with the board. The changes made were clearer and easier to understand. Orion indicated that the SEUHD works with restaurant owners in order to help them be in compliance with the Food Policy and when not in compliance to assist them in becoming compliant by providing the guidelines that need to be followed.

Motion – (Kathi Kearney/Breann Davis) Move to accept and approve the update and changes made to the Food Establishment Policy (update to 2018 policy) as presented. Unanimous.

XI. Health Officer Report

- A. **Public Health/COVID-19/Epidemiology** – Brady stated that updates and services would continue until the end of the school year after that it will be treated as a conical disease with information posted on the SEUHD website. Those receiving the vaccine cannot be charged but insurance companies can be billed and the SEUHD will start to do that because resources from the Federal Government for the vaccines is coming to an end.
- B. **Health Promotion** – Nothing to report at this time.
- C. **WIC** - Nothing to report at this time.

- D. Clinical Services - Nothing to report at this time.
- E. Environmental Health - Nothing to report at this time.
- F. Emergency Preparedness - Nothing to report at this time.
- G. SEUHD Building Update – Brady thanked the board for all of their support during the process of obtaining the new building for the SEUHD. The ribbon cutting and open house will be held on March 30th from 12:00 – 3:00. As this project comes to a completion, the possibility of obtaining a new facility in Moab has transpired. Brady stated that there was nothing that was to be voted on regarding the facility at the USU campus. From a financial point of view, the loan payments for the Price office will be \$68k each year and will continue to decrease. There are no loans due on the Castle Dale office building it is owned by the SEUHD. The Moab office has a balance owing of about \$400k. The Moab Free Clinic will be completing their purchase of the USU campus by the end of April. The campus consists of three buildings and one is 10,000 feet. They are proposing that the building be split between the SEUHD and the Moab Free Clinic and there is the possibility that the Environmental Health program could be expanded into one of the other buildings on the property. Moving forward, both agencies would own the facility together and the SEUHD would buy ownership by selling the Moab office building which is valued between \$1.2m and \$1.8m. Additionally, the building would require remodeling to make it functional. A CIB loan with the Grand County Municipal Building Authority would be applied for with the understanding that the existing loan would be closed and a new one opened for about \$1m to be split between the two agencies.

Brady asked the board for suggestions or concerns regarding his continuing to pursue the project. Commissioner Jensen stated that it was a good idea due to the fact that the options for expansion is limited at the present location. Kathy stated that it was a good idea having the Moab Free Clinic and other nonprofit organizations in the same proximity. Brady stated that the SEUHD applied for WIC funding in the amount of \$275k to go toward the Moab project. Discussion followed. Brady indicated that the possibility of expanding the current office was explored but the issue of parking would remain a problem. Part of the plan for the new project would be to have renters that would contribute to the expense of the project. Commissioner Jensen asked if it would cause an increase to what the counties contribute to the SEUHD. Brady stated that their payments would remain the same. Discussion followed.

- H. UALHD Bill Watch – Brady indicated that the merger between UDOH and the Department of Human Services is continuing to move forward. An impactful bill that was woven into that was the language that no local health department can enact any regulation that is stricter than the States’ regulation.

XII. Board Comments – Future discussion items -

There being no further discussion, the meeting was adjourned.

Meeting adjourned at 7:00 p.m.

Debbie Peet, Board Chair

Bradon Bradford, Health Officer