

Present:

Dr. Gary Alexander, Vice Chair
Dr. Ryan Stewart
Mayor Joy Petro
Dr. Colleen Taylor
Brandon Hatch
Commissioner Lorene Kamalu
Brian Hatch, Director of Health
Neal Geddes, Attorney

Davis County Health Department Staff:

Dave Spence, Deputy Director, Health
Rachelle Blackham, Deputy Director, Senior
Services
Stephanie Spens, Assistant to the Director
Jay Clark, Environmental Health Division
Director
Diana Reich, Administration Division Director
Ivy Melton Sales, Community Health Division
Director
Isa Perry, Health Strategy Bureau Manager

Excused:

Scott Zigich, Chair
Troy Wood, Immediate Past Chair

Welcome:

The meeting of the Davis County Board of Health was held Tuesday, November 8, 2022 at the Davis County Health Department, Board Room, 22 South State Street, Clearfield, Utah. The meeting was called to order at 7:33 a.m. by the Vice-Chair, Dr. Gary Alexander. Dr. Alexander excused current Chair, Mr. Scott Zigich and immediate past chair, Mr. Troy Wood. Dr. Alexander expressed his gratitude for those that were in attendance.

Minutes (Action)

The minutes of August 9, 2022 were presented to the Board of Health members and reviewed. *Dr. Gary Alexander then presented a motion to approve said minutes. Mr. Brandon Hatch motioned for the minutes to be approved. Ms. Joy Petro seconded the motion. The vote was unanimous.*

Vice Chair Nomination/Election (Action)

Mr. Brian Hatch reported the Executive Committee met in their role as the Nomination Committee and recommended Mr. Brandon Hatch as the 2023 Vice-chair nominee. Mr. Brian Hatch spoke with Mr. Brandon Hatch and Mr. Brandon Hatch stated he was willing to serve in that role. *Ms. Joy Petro motioned to elect Mr. Brandon Hatch to the 2023 Vice-Chair seat and Dr. Ryan Steward seconded. All were in favor. The vote was unanimous.*

Public Hearing Report (Action)

Mr. Jay Clark reported on the public hearing held on September 7, 2022 regarding the proposed changes to the Housing Regulation. Dr. Gary Alexander served as the hearing officer. No public or written comments were received during the comment period. A letter of support was submitted from the Davis County Law Enforcement Administrators Association. The proposed amendments to the regulation include:

- Updating the formatting.
- Eliminating unused, unnecessary, and unclear definitions.
- Adding definitions for decontamination specialist, vermin and habitable space.
- Revising the definition of nuisance.
- Re-organizing the section headers to clearly define everything that is required of a landlord under one section.
- Removing requirements regarding:

- Conditions of outside stairs and sidewalks; Nuisance indoor air quality; Animals; Temporary heating devices; Finished surfaces; Exposing interior of walls; and Temporary and emergency housing.
- Altering the Lead-Based paint section and moving it into the Responsibilities of Owners and Property Managers Section.
- Adopting R311-500 and R392-600 regarding illegal drug operations.
- Adding a Chemically Contaminated Dwellings section to require a decontamination permit and ability for the Department to post a contaminated unit closed.
- Modifying the Closed to Occupancy & Enforcement sections to allow entry into a home posted closed only with permission from the Department.

Ms. Lorene Kamalu asked how the Health Department will let other agencies know the approved changes of the regulation. Mr. Jay Clark informed Ms. Kamalu that the Health Department will be reaching out to the police chiefs and let them know the regulation has been updated.

Ms. Lorene Kamalu motioned to approve the Findings of Fact and Conclusions of Law for the Housing Regulation. Dr. Ryan Stewart seconded. The vote was unanimous.

Dr. Alexander then asked for a motion to adopt the proposed Housing Regulation. Ms. Kamalu was first to approve this motion and Ms. Joy Petro was second. All were in favor. The vote was unanimous.

I/M Ordinance Letter of Support to Commission (Action)

Mr. Jay Clark reminded the Board Members that the Inspection/Maintenance (I/M) Program Ordinance is a county ordinance so the Board of Health isn't the governing body, but the Health Department likes to keep the Board informed and have their support on changes made. Utah is a state where the I/M program is at a county level instead of a state run program. There has been some variability from county to county which has brought some frustration to motorists. Many of the proposed changes are to align with other I/M programs in the state.

- Allowing diesel vehicles to be tested at any permitted I/M Station.
- Exempting heavy-duty diesel vehicles from inspection.
- Allowing some readiness monitors to be set as "not ready" and still pass an inspection.

It will be proposed to have the fee schedule simplified. The defined fees are listed below:

- Changing Inspector Permits from \$25 (one year) to \$50 (two year)
- Creating a Plan Review fee of \$50
- Changing Station Permit fees from \$300 (1st year) and \$60 (renewal) to \$200 each year
 - Encompassing other fees into Station Permit fee
 - Encouraging stations to use us for training and education
 - Eliminating unnecessary station/inspector fees
- Adding an inspector exam fee of \$25
- Removing the Repair Facility Permit and Repair Technician fees & requirements
- Adding a Referee/Waiver Inspection fee of \$30

Ms. Joy Petro asked if there is a lot of inspector turnover at the stations and does the Health Department have to keep going back? Mr. Jay Clark responded stating an inspector is required to initially get their permit and then the Health Department offers to go to stations to ensure staff is performing tests correctly.

Mr. Clark continued there are other changes that will be proposed to this ordinance. The ordinance is quite old, there is a lot of redundancy, additions, and areas that items are covered multiple times. The changes made are listed below:

- Simplified and clarified sections
- Moved diesel requirements and inspection procedures into the body of the Ordinance
- Modified no idling requirements
- Added waivers for extenuating circumstances
- Changed authority from the Environmental Health Division to the Davis County Health Department

Mr. Clark stated that the purpose of presenting this to the Board is to ask the Board to offer a letter of support of these changes to the Davis County Commission. Dr. Ryan Stewart asked if this will address concerns from community members? Mr. Brian Hatch stated that most of the complaints that the Health Department has had over the years are the diesel owners that have to go down to the Tech Center in Kaysville. The ordinance changes will move testing from the centralized testing location to decentralized testing stations. Ms. Joy Petro asked if the facility, Tech Center, is going to remain open? Dr. Gary Alexander also indicated he also wanted to know that answer. Mr. Clark responded stating the Health Department is required to operate a technical center and its main purpose will be for training. Mr. Brian Hatch stated that the Health Department has recently purchased the two homes and Dee's Service Center just south of the Health Department. In approximately two years Dee's Service Center will be the new location of the Technical Center.

The ordinance change will not take place January 1, 2023 as originally planned. Opus, the newly contracted company, is unable to obtain all the hardware needed to go out to each station. The Health Department will ask the Commission to delay the initial implementation and ordinance changes. The letter of support is still requested.

Dr. Alexander asked for a motion to approve the letter of support to the Commission. Dr. Ryan Stewart was first to approve and Dr. Colleen Taylor was second. The vote was unanimous.

Electronic Cigarette Substance Regulation (Information)

Mr. Jay Clark started his presentation with a brief history of the Electronic Cigarette Substance Regulation. About ten to eleven years ago electronic cigarettes became very popular in the county. A lot of research was taking place by the Health Department staff to fully educate themselves on the topic. There were a lot of concerns, some of them being:

- Utah Indoor Clean Air Act
- Attractiveness to Children & Youth
- Unknown Long-Term Health Effects
- No Regulatory Control

The ultimate goal of the Health Department was to serve as a stop-gap until the FDA was ready to take over.

Prior to 2012 the sale of electronic cigarettes was already prohibited to a minor.

- **2012** – Utah Indoor Clean Air Act amended to include E-cigarettes.
- **2014** – Davis County Board of Health – Electronic Smoking Device Regulation adopted.
- **2015** – The Legislature passed bill that required UDOH to establish standards for labeling, nicotine content, packaging, and product quality.
 - Utah Administrative Code R384-415 Electronic-Cigarette Substance Standards Rule adopted end of that year.
- **2016** – FDA required to begin regulating E-cigarettes as tobacco products.
- **2018** – Davis County Board of Health revises regulation to focus only on manufacturing.
 - Renames regulation Electronic Cigarette Substance Regulation.
- **2018** – FDA issued first warning letter to a company for selling e-liquids without the required market authorization.
- **2019** – FDA Guidance document on achieving premarket tobacco approval for e-liquid.
- **2020** – U.S. District Court provided deadline to register products. Deadline extended to September 9, 2020. Required to rule on them by September 2021.
- **2021** – FDA authorized the marketing of the first E-cigarette products, 98% products had been reviewed by this time. They also issued many Marketing Denial Orders.
- **2022** – Applications for non-combustible products for market authorization extended to August 2022.
 - One remaining E-Cigarette manufacturer permitted in Davis County. This manufacturer is currently in process with the FDA.
 - Tobacco retailers still required to be permitted by the local health department.

Ms. Lorene Kamalu asked if there was one here in Davis County? Jay replied that there is one in Davis County. Weber-Morgan still permits, but they are looking to follow a similar path as Davis County and Southwest has two FDA approved to manufacture.

Mr. Clark continued stating our Regulation has done the job it's needed to. We provided that stop-gap until, filled the time until the FDA was ready to oversee the manufacturing of these products. The Health Department feels at this time they can recommend to the Board to rescind this regulation.

Mr. Brian Hatch addressed the Board stating this is over simplifying and there is value of what the Board does. Emerging issues take place and many things take a lot of time especially at the Federal level as it works its way through. The Board stepped up immediately, took an issue, and protected the public. This Board's authority was on display and led out across the nation. Davis County was among the first, if not the first to regulate e-cigarettes. Mr. Hatch commented that he along with other Health Department employees took phone calls from the tobacco industry that had interest in this regulation. The State then followed suit and used ours as a model. Mr. Hatch reiterated that even though we are rescinding this the Board did its job and did it well.

Mr. Brian Hatch asked Mr. Neal Geddes if rescinding this regulation will need a public hearing? Mr. Geddes responded that it did not.

Due to this agenda item being listed as an informational item and not as an action item, it will be presented at the next board meeting as an action item to rescind the regulation.

Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP) Updates (Information)

Ms. Isa Perry, Health Strategy Bureau Manager presented to the Board an update on the CHA and CHIP. The previous CHA was completed in 2018 and is completed every 5 years. A presentation on the new Community Health Assessment will be given at the May 2023 Board of Health meeting.

Below is the timeline of the work for the current CHA:

- Preparing CHA – 2021
- Review – 2021
 - Prior Reports
 - Gaps and root causes
- Gather - Spring/Summer 2022
 - Existing data
 - New data
 - Resources & assets
- Analyze – Fall/Winter 2022
 - Interpret
 - Add Context
 - Feedback
- Share – Spring 2023

There are many current assessments that in progress for the CHA some of them are; Community Resilience, Community Equity/Focus Groups, LGBTQ+, Housing, Food Environment, Seniors, and Resource Centers.

The CHA provides a foundation to select health improvement priorities and focus on what is important. In 2018, after the last CHA was released, community partners selected suicide, ACE's and trauma, and opioids as the top three priorities. There is an emphasis to coordinate prevention and to improve access to services which overlap all three priorities.

The Community Health Improvement Plan (CHIP) progress for 2022 is listed below:

- Suicide: Prevention coordinator grant, DSD parent series, QPR for seminary teachers, safe messaging training/trainers
- ACES/Trauma: Symposium, Head Start grant, No Hit Zone & Bystander Intervention training, abuse prevention workgroup
- Opioids: Opioid Safety Webpage, Opioid Dashboard, Quality Improvement Training
- Prevention: Communities that Care (CTC), SHARP data for school & community leaders, Botvin Life Skills expand to Elementary Schools
- Access: 988 Launch, Behavioral Health Directory, Spanish Mental Health Services, Latino Outreach, screening events, school counselors; Teen Centers, Davis Tech Student Center, Re-entry Fair, Davis Links event.

Preparations that are taking place now for the writing of the new 2023 CHIP:

- Thorough review of CHA
- Selecting CHIP priorities
 - Root causes of inequalities and negative outcomes
 - Urgent, serious, important
 - What issues are so big the only way to have an impact is to work together?
 - How can we incorporate shared risk & protective factors
- Hypothetically, what if we were picking new CHIP priorities today?

New CHIP Priority Discussion is asking these questions:

1. Should any new community priorities be considered?
2. Which priorities should stay in the CHIP?
3. Which priorities should be removed from the CHIP?
4. What would it look like to align around any of the suggested new priorities?
5. What can be done so that you feel prepared and comfortable voting on updated community health improvement and equity improvement priorities in May 2023?

The thought moving forward is how the work can be done without siloing the outcome. Priorities are based on an overarching view based on strength. The opinion is to not stop the work that is has begun, but to reframe the priority to see them from a broader scope and improve all those negative outcomes. There is a lot of conversations taking place about housing, access, community connector roles, family service workers, and community health workers are all connected.

Upcoming dates for Davis4Health events:

- Davis4Health Equity Symposium, Davis Tech, Thursday, January 26, 2023
- Davis County Community Resilience Symposium, Davis Tech, Friday, January 27, 2023
- Davis4Health, CHIP Celebration, Nature Center, Farmington, February 28, 2023
- Davis4Health Steering Committee Meeting, May 17, 2023

Any questions or feedback about the CHA or CHIP reach out to Isa Perry, isa@daviscountyutah.gov or Logan Hyder, lhyder@co.davis.ut.us.

Budget Report (Information)

The budget report was handed out to the Board members

UALBOH Report (Information)

UALBOH Conference - April 26-27, 2023, Homestead Resort, Midway, Utah

Directors Report (Information)

Mr. Brian Hatch addressed the Board stating the Legislature is still in interim study looking at public health, funding and the State merger. There is a meeting this afternoon with Representative Peterson that is heading up a committee focused on funding. The big concern is counties not using new funding sources at the local level. The good part, Davis County has always been proactive about supporting public health. Nationally the cost per person spent on public health is about \$17 per person, \$11 from local and \$6 from state. Davis County is a little above \$11. The rest of the funding comes through contracts, grants, and fees. Mr. Hatch wanted to give a shout out again to the staff. All the work that is

presented to you is a tremendous amount of effort. This work took place along with the responses the Health Department has taken on. It is hard work to maintain all these initiatives.

Chair Report (Information)

Dr. Gary Alexander filling in for Mr. Scott Zigich provided a few remarks. Dr. Alexander stated he has been on the Board of Health for a few years and as he thought about coming in today, he expressed his appreciation for being on the Board, it has been a great experience, and appreciates working with all of the Board members. Dr. Alexander commented that it is a great Board that works well together. Dr. Alexander recognizes the real work is done at the Health Department, where the changes are made and then the Board approves or disapproves. Dr. Alexander continued stating that over the years he has been proud to be a part of the Davis County Health Department because of the work that is done. Davis County is in the forefront, the rest of the state looks to them for leadership. Ms. Lorene Kamalu asked how many years Dr. Alexander has been on the board? Ms. Stephanie Spens answered stating Dr. Alexander started in 2008, so he has been on the board for 14 years and Dr. Colleen Taylor started in 2001. Ms. Kamalu thanked them for their service, tenure, and institutional knowledge. Dr. Taylor commented it is because of the quality.

Commissioners Report (Information)

Ms. Lorene Kamalu reported that budgeting is a big deal right now for the commission. The county has a different fiscal year than the state and federal government. It is challenging to do a good budget. The three commissioners have to approve a budget. After the tentative budget is approved, the different departments confirm that nothing was missed. The elected auditor and his team carry the heaviest load. The budget committee includes the three commissioners. Ms. Kamalu commented that the commissioners don't always agree, but they do agree that our people are our best asset. She continued stating that less than a year ago big increases were given to everyone's pay across the county due to inflation and there is commitment to being competitive as an employer. Currently a compensation study is taking place. The county hasn't had comprehensive compensation study done since 2017. Nothing is guaranteed to change immediately from that, but the comprehensive wage and benefits study will help determine if the County is still competitive with benefits and pay and will also help us with the next and future budget years. Ms. Joy Petro asked if another 3% is this coming January? Mr. Kamalu stated that Human Resources performs a market studies every year, it is not comprehensive, it doesn't take into consideration benefits. Traditional duties of public health, statutory laws of public health, and emerging issues of public health all ebb and flow. The budget has to be flexible to do all those things and stay in budget. Ms. Kamalu reported the Health Department does a very good job of this.

Adjournment

The meeting adjourned at 9:01 a.m. Ms. Joy Petro entertained a motion to adjourn. Lorene Kamalu seconded the motion. The vote was unanimous.

2023 Board of Health Meetings

February 14, 2023

May 9, 2023

August 8, 2023

November 14, 2023