



UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE
PROVO, UTAH 84601

MINUTES

July 28, 2008

Members Present:

Name	
Rulon J. Barlow, MHA	✓
Joan Baldwin, DNSc, RN, HNC	✓
Doris Baker, BA	✓
Dennis Hess, MD	✓
Saundra M. Huff	✓
Chris Sorensen	✓

Name	
Viola Ramos, MRC	✓
Jerry C. Washburn, Mayor	✓
Steve White, Commissioner	✓
Joseph K. Miner, MD, MSPH	✓
Ralph L. Clegg, MPA	excused

Others present: Donald Meyers - SL Tribute, Jens Dana - Deseret News, Ace Stryker - Daily Herald, Carl Hanson - BYU, Dave Johnson - EH, Eric Edwards -HP, Jaycie Robinson - HP, Emilee Smith - HP, Richard Nance - SA, Lynn Flinders - CH, Toni Carpenter - HP, Paul Wake - Utah County Attorney, Lance Madigan - PIO, Jen Tischer - HP, and youth representatives from Outrage Program.

1. **Welcome / Introductions** - Rulon Barlow welcomed those in attendance.
2. **Approval of Minutes** - May 19, 2008

MOTION: Mayor Washburn made the motion to approve the minutes, which was seconded by Commissioner White and passed by unanimous vote.

3. **Public Hearing** to receive comment on a proposed Amendment to the Underground Storage Tank Regulation which, among other things, allows fees to be charged for enforcement of the regulation.

Mr. Barlow opened the Public Hearing to accept comment on amendments updating this regulation.

Discussion: In addition to housekeeping items such as updating the name of the department, etc. Dr. Miner referred to Section 5 - Approval and Permit Required. It should read, "A permit from DEQ following plan approval from UCHD must be obtained. He further explained that

the original regulation was adopted by the Board in June 1990. Since then, the fee for leak monitoring inspections has been implemented and challenged because the regulation did not specifically state we would charge a fee for this service. In updating the regulation a statement was included in Section 8, page three: "Fees may be charged to the owner or operator for all inspections and services necessary for the enforcement of this regulation, and shall be paid to the Utah County Health Department prior to the inspection or service. The fees shall be set and/or adjusted as needed by the Utah County Board of Health." Dr. Miner explained that the statement is general enough that it doesn't require an amendment to the whole regulation every time the Board adopts or changes a fee. This should be a standard procedure that we do with all our regulations. In fact, most of them are general and not this specific. Mayor Washburn asked if the permits from the DEQ differed from the one from Utah County. Dave Johnson, Environmental Health Bureau Director, will check on this and clarify this apparent redundancy in the regulation wording. County Attorney Paul Wake indicated that he had reviewed the document, and recommended that the last sentence under #10 be stricken - "These would adopt by reference the rules congregated by the State of Utah." Mr. Barlow suggested that the second line under "Methods" on page 3 be reworded to say: "Certification of tank handler and soil and groundwater samplers will be verified," which Paul approved.

No other comments were made from others, including the general public.

MOTION: Commissioner White made the motion to close the Public Hearing, which was seconded by Dr. Hess.

4. **Consider for approval** the Underground Storage Tank Resolution Amendment and setting a fee for Underground Storage Tank Leak Monitoring Inspections.

MOTION: Chris Sorensen made the motion to adopt the Underground Storage Tank Regulation Amendment with the clarifications requested in the wordings which were not substantive changes to the proposed amendment. The motion was also to set the fee to \$10 per year per tank for leak monitoring inspections, which is charged to the owner. The motion was seconded by Doris Baker, and passed by unanimous vote.

5. **Draft Regulation for Smoke Free Parks and Outdoor Gatherings** - Jen Tischler,

Mr. Barlow referred to the two sample draft regulations based on Springville and Orem cities' ordinances addressing this problem. The Board discussed the differences between the two regulations as they relate to golf courses. Originally, the intent was not to dictate to the cities that a regulation be adopted. It appears that the cities who have looked at a county-wide regulation are in favor of one. It would be wise to have as much consistency as possible for the county by making the regulations county-wide and not necessarily city by city ordinances. The two versions are quite similar, except Springville is including the golf course and within 25 feet of bus stops. Otherwise, the two ordinances are word for word. Mr. Barlow suggested, rather than waiting for other cities to come up with other language, that the Board come up with a consistent regulatory language template and request input from the other cities. The

Health Department staff who prepared the draft regulations would prefer a county wide regulation, and allow cities to modify it to be more stringent if they desire.

Jen Tishler and members of the youth group, Outrage, talked about their work on the topic and surveying the public. They presented the information to the Council of Governments (COG) on June 5 and various regulations for parks were discussed. The COG requested that Jen and her group present a draft of the regulations that the Board of Health would support. They also presented to the Springville City Council, and they passed the first ordinance for the county on July 1 to include parks, the golf course, mass gatherings, bus stops, and the cemetery. The group presented to Orem City on June 27, and they passed the ordinance on July 8 to include parks, the fitness center, recreational areas, mass gatherings, parks and cemeteries. Theirs is similar to Springville except it doesn't include bus stops or the golf course.

The group has been surveying county wide support at the Spanish Fork Rodeo where they got over 600 petitions signed. They also received more petitions at the Relay for Life. The group is continuing to gain support.

Two drafts of the regulations were given to the Board of Health for discussion. One modeling Springville, the other modeling Orem. The group encouraged having one regulation to streamline the process. The Council of Governments is waiting for a proposed regulation from us.

Dr. Miner said that since this is a County Board of Health regulation, that we would need a public hearing at a future Board of Health meeting, perhaps in September. Before then, we could get feedback from the Council of Governments.

The Board's recommendation to the Council of Governments is to adopt the Orem City model tentatively to go to public hearing as a county-wide public health regulation of the Board. This would give the cities at least two months to give input to see if they would agree or want some changes.

Mr. Barlow asked that we clarify that the regulation includes both city and county owned parks. Jen will finalize a draft regulation and give it to the Council of Governments.

MOTION: Dr. Hess made the motion to present the proposed regulation to ban smoking in public parks and outside gatherings county-wide to the Utah County Council of Governments for their comments and recommendations. This was seconded by Joan Baldwin and passed by unanimous vote

6. **Research Institute Agreement with BYU - Emily McIntyre and Dr. Miner**

Dr. Miner explained that a proposal was made at the last Board meeting to have an Academic Health Department. This would be a collaborative effort with an institution of higher education (Brigham Young University) in forming a Family and Community Health Research Institute. The purpose is to facilitate students' experience with the Utah County Health Department so that the students receive more of a meaningful learning experience, and the Health Department gets more from the students. Dr. Carl Hansen from BYU College of Health was present, and asked the Board of Health if they would approve development of the relationship. Dr. Baldwin said that the activities would not be limited to BYU, and felt it was a wonderful idea. She recommended including the college of nursing, pre-professional health majors, and the psych and nutrition departments from BYU and other universities as well. Dr. Miner said that the collaboration would also help BYU and the Health Department be more competitive when applying for grants. Mayor Washburn suggested including community members and representatives of other schools on an advisory committee.

MOTION: Joan Baldwin made a motion to support the Research Institute with BYU and adopt the charter, which was seconded by Doris Baker and passed unanimously.

7. **Annual Independent Audit Report** - Dr. Miner referred to the report, which is conducted for all Utah County Government funds. There were no findings of concern with the Health Department fund. For the first time in many years, there was a significant decrease in the health fund due to the purchase of land for a future north county health services building..
8. **New Employees** - Dr. Miner reviewed the list of new employees with the Board.
9. **Other Business** -
 - 1) A pool of mosquitos tested positive for West Nile Virus. The tests were run by the Mosquito Abatement staff in their own lab. The results were therefore available about two weeks prior to when the state lab would have had results. This allowed us to get a jump on spraying. There are no animal or human cases reported so far.
 - 2) There has been one case of tularemia diagnosed who was exposed while camping west of Utah Lake just like the 18 cases seen last year.
 - 3) Campylobacter-contaminated water was discovered at Maple Dell Scout Camp with 11 culture-confirmed illnesses among campers. There were probably several times that number of ill scouts who didn't get tested or cultured. The water was contaminated from cows grazing near the water collection system.
 - 4) Two cases of Cryptosporidium have been reported, but neither was tied to public pools. Pool operators have taken aggressive action to avoid it. The Provo and Orem City pools and Seven Peaks now have UV light treatment.
 - 5) Richard Nance suggested that we add a link on the County website to Wasatch Mental Health and other community resources. This will be discussed in Department Head Meeting. Roll out of the new Health Department website will begin this Friday.
 - 6) Dr. Miner referred to the Annual Report and Mr. Barlow complimented Lance Madigan for his work.

- 7) A copy of the NALBOH magazine was given out. Mr. Barlow referred to the article on Davis County and their process in implementing no smoking in public places.
- 8) Mr. Barlow reminded members of the Annual UALBH Symposium on September 5 at Daniel's Summit and encouraged those who were able, to attend.

10. **Next Meeting** - September 22 at 4:00 p.m.

Meeting adjourned at 5:15 p.m.

Joseph K. Miner, MD
Executive Director
Utah County Health Department

Rulon J. Barlow, MHA, Chair
Utah County Board of Health