

Summit County Board of Health Meeting Minutes

Summit County Health Dept. Conference Room
650 Round Valley Drive
Park City, Utah 84060

Monday, January 6, 2020 - DRAFT

Topic	Discussion	Action or Summary
Attendance	<p>Board Members Present: Ilyssa Golding - Chair, Chris Ure, Doug Evans (Called in), Marc Watterson, Kim Carson, Heidi Jaeger, Dorothy Adams</p> <p>Staff Present: Dr. Richard Bullough – Director, Dr. Phil Bondurant, Shelley Worley, Carolyn Rose, Lisa Yoder, Rocky Pace, Nate Brooks, Derek Siddoway, Alyssa Mitchell, Katy Staley</p>	
Welcome and approval of minutes	<p>The meeting was called to order at 4:00 p.m. Board Member Carson made a motion to open the meeting. Board Member Ure seconded the motion.</p> <ul style="list-style-type: none"> • Board Member Ure made a motion to approve the minutes for the December 2, 2019 Board of Health Meeting as written. Board Member Carson seconded the motion. Motion passed 7-0. 	<p>Summary:</p> <ul style="list-style-type: none"> • <i>The minutes for the December 2, 2019 Board of Health meeting were approved as written.</i>
Public Comment	<ul style="list-style-type: none"> • No general public comment was made. 	<p>Summary:</p> <ul style="list-style-type: none"> • <i>No general public comment was made.</i>
<p>Director’s Report (Budget)</p> <p>(Personnel)</p> <p>(Highlights)</p>	<ul style="list-style-type: none"> • Dr. Bullough shared that the budget has made a giant leap to over \$9 million. Most of this money is pass through dollars and government agreements. Due to the increase, there will be a part-time Behavioral Health Manager hired using Medicaid Administrative money. Non-profit funds will no longer be tracked through the Health Department. • Paige Mitchell has accepted a position in the Environmental Health division. Penci Carreno will be moving into the position vacated by Paige. Recruitment for Penci’s position is currently underway, with some good candidates. • The Health Department is no longer conducting perc tests during the winter months. Rocky Pace stated that subdivisions do not allow the equipment in during the winter months and the ground is too hard to conduct a quality perc test. The earliest perc tests will be conducted is March 1st, on a case-by-case basis. There is no current policy for this practice, but a formal policy will be discussed in the future. During the winter months, people wanting to build can talk to a perc tester, create a site plan, and create a construction plan. The Building Department can be reviewing the application during the winter months. To conduct a proper perc test, there must be no more than six inches of snow (no snow is preferable), with temperatures above 40 degrees during the day and cover by night for a 24-hour period. Perc tests must be scheduled a week in advance. • Dr. Bullough stated that 2020 is going to be a big year for the Health Department. There will be ongoing discussions about refining processes and refocusing resources and energy to better meet the needs of the community. 	<p>Summary:</p> <ul style="list-style-type: none"> • <i>The budget has made a giant leap, with mostly pass through money and government agreements. There will be a new Behavioral Health Manager. Non-profit funds will no longer be tracked through the Health Department.</i> • <i>Paige Mitchell is moving to Environmental Health and her position will be taken over by Penci Carreno. Recruitment is underway for Penci’s position.</i> • <i>Perc tests will no longer be conducted during the winter months.</i> • <i>2020 will be a big year for the Health Department to refine and refocus priorities and processes.</i>
Tobacco 21	<ul style="list-style-type: none"> • Alyssa Mitchell stated that the President has signed into law for smoking to 21 years of age, effective immediately. There will not be a phase-in, and law enforcement will work with retailers for compliance. No exemptions will be allowed, including military exemptions. Board Member Watterson stated that Federal Law supersedes State Law, so enforcement can move forward without an updated State Law. Dr. Bullough stated there will be more discussion about the Tobacco 21 law at Health Officer’s meeting, and there will not be any compliance checks done yet. Retailers are aware that this law will be enforced immediately. The Sheriff has stated that enforcement will only be on sales and not possession right now. 	<p>Summary:</p> <ul style="list-style-type: none"> • <i>The President has signed into law a smoking to 21 law, which will be enforced immediately.</i>

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Tobacco Resolution	<ul style="list-style-type: none"> The Board of Health's tobacco resolution was discussed, with changes suggested. Board Member Watterson stated that the Utah Department of Health has proposed administrative rules for tobacco legislation and they are going through the public comment process right now. It would be beneficial to submit Summit County's proposed resolution as public comment to the Utah Department of Health to show that Summit County Board of Health supports the State's efforts. The public hearing for the Utah Department of Health is January 22, 2019. Shelley and Alyssa will draft language from the resolution related to the proposed rule to send for public comment along with the full resolution. Board Member Carson made a motion to adopt the tobacco resolution with the changes discussed and submit the full resolution along with a synopsis related to the State's proposed rule for public comment with approval from Board Member Watterson and Chair Golding. Board Member Ure seconded the motion. Motion passed 7-0. 	<p><i>Summary:</i></p> <ul style="list-style-type: none"> <i>The Board of Health's tobacco resolution was discussed, with changes proposed.</i> <i>The Utah Department of Health has proposed administrative rules for tobacco legislation. The Summit County Board of Health supports the State's efforts.</i> <i>A motion passed to adopt the tobacco resolution with the changes discussed and submit the resolution to the Utah Department of Health for public comment.</i>
Community Assessment	<ul style="list-style-type: none"> Derek Siddoway stated that the Staff assessment for the Community Health Assessment has been completed and a link will be sent out tomorrow. The Board can send any edits to Derek. Changes to the Community Health Assessment will be discussed at the next meeting. 	<p><i>Summary:</i></p> <ul style="list-style-type: none"> <i>The Community Health Assessment changes will be discussed at the next meeting. Look for emails about the retreat.</i>
Influenza Update	<ul style="list-style-type: none"> Carolyn Rose shared an influenza update. Only hospitalized cases are tracked. Rapid tests are not tracked. There have been 85 positive lab results for influenza (44 type B and 41 type A). There have been 13 people hospitalized, mostly type A and over the age of 65. Some of the people who have the flu have had the flu shot. People have less immunity to type B, with more type B cases being seen early in the flu season. People can receive the flu shot after having the flu. Nationwide there have been 27 pediatric deaths and an estimated 2900 additional deaths from the flu. Testing is aggressive and many people choose not to be tested. 	<p><i>Summary:</i></p> <ul style="list-style-type: none"> <i>An influenza update was shared.</i>
UALBOH Update and Board Comments	<ul style="list-style-type: none"> Board Member Watterson shared that the Legislative session is set to start in three weeks. UALBOH has a working committee to reach out with alerts if action is needed on any bill. The Board should watch their emails for any alerts. There will also be online tracking of the bills. Board Member Adams stated SB29 is a bill that proposes create funding for medical waste disposal bins to make pills non-retrievable. The liquid waste that is used is against Federal rules, but this bill is trying to allow the liquid. The Federal DEA (Drug Enforcement Agency) does not support this bill. Dr. Bullough stated that governance is on January 28th. Board Member Carson shared there is a reception with the local legislators at the Ledges Event Center tomorrow January 7th 5 to 7pm. All are welcome to attend. During the next two months, there will be a standing agenda item for Legislative issues. 	<p><i>Summary:</i></p> <ul style="list-style-type: none"> <i>UALBOH has a committee to reach out with alerts for any bills that need action. Watch email.</i> <i>SB29 was discussed as a bill to watch.</i> <i>Governance is January 28th.</i> <i>There is a reception January 7th with the local Legislators.</i> <i>Legislative issues will be on the agenda for the next 2 months.</i>
***	PUBLIC HEARING	
Source Protection Ordinance Public Hearing	<ul style="list-style-type: none"> Board Members Watterson and Adams made a motion to open the Public Hearing for the Source Protection Ordinance. Motion passed 7-0. Bill Loughlin is a water resource consultant, working with source protection and he is in favor of this Ordinance. Michelle De Haan stated Park City is in favor of this proposed County Ordinance. 	<p><i>Summary:</i></p> <ul style="list-style-type: none"> <i>The Source Protection Ordinance was open for Public Comment and discussed.</i> <i>The Ground Source Protection Ordinance</i>

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	<ul style="list-style-type: none"> • Dave Fuller is in favor of this Ordinance. There was a recent situation where an applicant for a geothermal well in Jeremy Ranch was injecting chemicals into the earth. There is a potential for contamination with this geothermal well. The proposed Ordinance allows communication with the water system to help work out a plan to protect the source. Most issues with developers can have a positive solution with communication. • Scott Schofield works for a water company in Pinebrook and is also a local contractor and excavator and is in favor of the proposed Ordinance. This Ordinance would help clear up the beginning stages of development by letting the developer know what is expected up front. • Chair Golding stated there were some negative written comments submitted by Tom Clyde that should be addressed. Dr. Bondurant stated that he and Dr. Bullough have had a discussion with Tom Clyde and Doug Clyde to help clear up any concerns that were submitted. Problems will be alleviated with the new Ordinance. The Ordinance allows the Health Department to step in as a mediator. Tom Clyde said verbally that he understood the need for the Ordinance. The State Code is not right and the Ordinance allows for an appeal to bring oversight into the process. The Ordinance also helps determine payer of remediation and allows appeals for payment, which is not allowed currently. Having the decision with the Health Department allows for expediency. • Chair Golding stated there is a concern with the burden of cost. Dr. Bondurant answered that water systems do not have the resources to go to court and the Health Department becomes the third-party entity to help assign the cost. The cost will typically go to the applicant to prove why the project is feasible. The Ordinance also provides a process. Groundwater is dynamic and needs an open-ended process. • Board Member Ure asked how Summit County will work with Wasatch County to not contaminate each other's sources. Dr. Bondurant stated that is to be determined. There is the hope that there is enough understanding for the counties to notify each other about development in source protection zones. Wasatch County is more restrictive with source protection, with no development allowed in zones 1 and 2. There is a potential for conflict. Dr. Bullough stated that all the surrounding counties have source protection ordinances on the books. There is a good relationship with Wasatch County Health Department, but the relationship with Morgan County Health Department needs work. • Board Member Ure stated that most of the water companies on the East side of the county have volunteer boards and it would be helpful to reach out to them to offer resources. Nate Brooks answered that there will be a meeting to discuss the Ordinance with the water companies and volunteer boards. • Board Member Adams asked if an existing business changes their business license, is there a way to capture that change. Dr. Bondurant answered that any application going through the building Department will trigger the Source Protection process. Continuation of land uses is allowed, but any changes in the land use would require a development permit and would trigger notification. • Board Member Evans stated that the Ordinance is written incredibly well. Throughout the public hearing process, all comments were listened to and everyone was brought together to come up with a workable solution. No Ordinance is perfect, but amendments can be made down the road if necessary. It would have been nice to have this Ordinance ten years ago when there were problems with no opportunity for the water companies to participate. 	<p><i>was approved with an effective date of February 1, 2020.</i></p>

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	<ul style="list-style-type: none"> • Board Member Evans made a motion to approve the Ground Source Protection Ordinance as presented in Chapter 5, Section 3, Ordinance # 2020-001 of the Summit County Health Code, effective February 1, 2020. Board Member Carson seconded the motion. Motion passed 7-0. • Dr. Bondurant shared written comment from Jeff Young stating that this Ordinance has come a long way since the public comment process began in November. Feedback shows that the process works and now there is something in place with a defined framework. • Board Members Watterson and Carson made a motion to close the Public Hearing. Motion passed 7-0. 	
Adjourn	<ul style="list-style-type: none"> • The meeting adjourned at 5:33 p.m. • Board Members Carson and Adams made a motion to adjourn. Motion passed 7-0. 	<p><i>Summary:</i></p> <ul style="list-style-type: none"> • <i>The next regular meeting is scheduled for Monday, February 3.</i>