

## Summit County Board of Health Meeting Minutes

Conducted Remotely through Zoom

**Monday, December 7, 2020 - DRAFT**

Topic	Discussion	Action or Summary
<b>Attendance</b>	<p><b>Board Members Present:</b> Ilyssa Golding - Chair, Doug Evans, Marc Watterson, Chris Cherniak, Chris Ure, Kim Carson, Dorothy Adams</p> <p><b>Staff Present:</b> Dr. Richard Bullough – Director, Dr. Phil Bondurant, Nate Brooks, Cindy Keyes, Louise Saw, Shelley Worley, Brian Craven, Margaret Olson, Derek Moss, Nann Worel, SaRene Brooks, Jennifer Morrill, Katy Staley</p>	
<b>Welcome and approval of minutes</b>	<p>The meeting was called to order at 4:00 p.m.</p> <p>• <b>Board Member Evans made a motion to approve the minutes for the November 2, 2020 Board of Health Meeting as written. Board Member Carson seconded the motion. Motion passed 5-0.</b></p>	<p><i>Summary:</i></p> <p>• <i>The minutes for the November 2, 2020 Board of Health meetings were approved.</i></p>
<b>Public Meetings Training</b>	<p>• Margaret Olsen, County Attorney shared the Open Meetings Act requirements with a “pandemic primer.” Boards are to take actions openly and conduct deliberations openly. With everything being done remotely Boards are getting lax. There is a need to be sure that meetings are NOT being convened without being publicly noticed. The definition of a meeting is any time a quorum is present, including texts with the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body has jurisdiction or advisory power. Do not text one another during a meeting. Do not conduct discussions over text. Information can be conveyed by text or email outside of meetings, but board members should refrain from any discussions about the information outside of the meetings. Chance or social meetings are exempt from the Open Meetings Act but should not be used as subterfuge to discuss board business. Discussions should be done in open meetings. There are specific statutory reasons to have a closed meeting, and boards should contact the Attorney’s Office for advice. Deliberations are another exception to the Open Meetings Act. Deliberations are for analyzing or contemplating only. Emergency meetings occur when it is not feasible to post within twenty-four hours’ notice of a meeting, but an attempt must be made to notify the public with the best practicable notice. It was clarified that if there is not a quorum present, it is not considered a meeting. The Board Chair and Director discussing direction for a meeting is okay.</p> <p>• Boards are required to have an anchor location for meetings. A special provision has been made that if the Chair of a Board makes a written finding for not providing an anchor location, then the anchor location may be waived. Attorney Olson will review the Board of Health noticing to be sure that the anchor location has been legally waived.</p> <p>• Emails among Board members are public record according to GRAMA (Government Records Access and Management Act) requirements. The Board is cautioned against discussing board business via email.</p>	<p><i>Summary:</i></p> <p>• <i>Margaret Olsen shared an update of the Open Meetings Act, with a “pandemic primer.”</i></p>
<b>Public Comment</b>	<p>• No public comment was made.</p>	
<b>PUBLIC HEARING</b>		
<b>Fee Schedule Discussion and Possible Action</b>	<p>• <b>Board Member Cherniak made a motion to open the Public Hearing. Board Member Ure seconded the motion. Motion passed 7-0.</b></p> <p>• Dr. Bondurant shared that one public comment was received during the 30-day public comment period.</p>	<p><i>Summary:</i></p> <p>• <i>The Public Hearing was opened.</i></p> <p>• <i>Dr. Bondurant shared</i></p>

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	<ul style="list-style-type: none"> <li>• The Health Department went through the process of properly noticing the updated fee schedule as part of the three-year cycle to review fees for accuracy. Fees have increased incrementally, and mirror what Salt Lake County Health Department is doing. This is the responsible way to address fees. In the middle of a pandemic there is an economic burden with increased fees. The Board of Health is tasked to evaluate the information and take action responsibly. The next fee review will be in December 2022 during the regular budget cycle. This cycle of fees will go into effect March 2021, but that date may be changed to have the fees implemented when the Board feels may be appropriate.</li> <li>• The one written public comment was received by David Bell on November 6, 2020 via email and is included with the record of the minutes. Dr. Bondurant responded to the email during the meeting. Eighty percent of the work Environmental Health does is voluntary. The other twenty percent is for entitled services such as water quality and air quality, which is supplemented by the County. It has taken three cycles to get fees caught up to the deficit of actual cost for services.</li> <li>• There is no way to predict costs over the next three years, so a general average is taken over the year to estimate costs of services. The proposed fee increases are reflective of the demand for services based on previous data.</li> <li>• Board Member Carson stated the County Council wants to make sure there is a fair fee system. It is impressive how precise the Health Department has been in calculating fees. The proposed increases have been well-outlined and substantiated.</li> <li>• Board Member Evans stated that the Health Department does need some things funded by property taxes. The goal is to have users pay for the services they use. The fee schedule should be assessed regularly.</li> <li>• Dr. Bondurant shared that in the past the fee schedule was compared to other Health Departments. This new proposed fee schedule did not have a comparison because the proposed fees are reflective of actual costs. The proposed fees are still lower than Salt Lake County and are comparable to Wasatch County. Comparisons are not defensible for increases.</li> <li>• Nate Brooks addressed the concern from David Bell about separate inspection costs for spas and pools located in the same facility. Pool inspections are assessed by gated area by permit. Monthly testing is offered and billed separately, as each pool or spa requires a separate test. There is no charge for time taken to pick up samples.</li> <li>• <b><i>The time was opened for public comment. No additional public comment was made and the time for public comment was closed.</i></b></li> <li>• Board Member Carson stated that there was discussion at the last meeting about the burden increased fees would have on restaurants. There was discussion about delaying the implementation of the new fees. Board Member Evans stated he would like to delay implementation of the new fees until May 1, 2021 for restaurants. Board Member Adams stated the Board could show support to the restaurant community by extending the current fee schedule until May or June. Dr. Bondurant clarified that fees will still be assessed for permits but the increased fee schedule will not be implemented until the time the Board designates. Most permit payments are due March 1<sup>st</sup> and will start accruing late penalties after that date. Most fees are due annually, but some are due at the time services are rendered.</li> <li>• <b><i>Board Member Evans made a motion to approve the Fee Schedule as proposed, to be adopted June 1, 2021. Board Member Ure seconded the motion. Motion passed 7-0.</i></b></li> </ul>	<p><i>an overview of the fee schedule process and responded to public comment that was received.</i></p> <ul style="list-style-type: none"> <li>• <i>The Board discussed concerns about the proposed Fee Schedule increases.</i></li> <li>• <i>The proposed Fee Schedule was approved, to be adopted June 1, 2021.</i></li> </ul>

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<p><b>COVID-19 Update</b></p>	<ul style="list-style-type: none"> <li>• Dr. Bullough shared a COVID-19 summary. There has been an increase in cases following Thanksgiving, which was anticipated. Summit County is doing relatively well and is following the Governor’s order and the State Department of Health. The case numbers are much lower than the surrounding areas. There are about 84 cases out of 100,000 population with an 18 percent positivity rate. The first large surge was about six days after Thanksgiving as expected.</li> <li>• Staff continues to work on the explanations for each graph on the dashboard. There will be a separate document with the explanations. The fourteen-day case total is an added graph. This is important right now because fifteen percent of the total cases for Summit County have occurred in the last fourteen days. The same trend is occurring both in eastern and western Summit County. The demographics breakdown was shared, and the age-specific rate was explained. There is an increase in cases in the 80 years old and older population. It is speculated the higher age cases are from family gatherings.</li> <li>• The case numbers were trending down before Thanksgiving but are now trending up. There is hope that there will be an incidence plateau followed by a decrease. People should consider their family gatherings and be careful. The increased rate of positivity at 17.8 percent is too high.</li> <li>• Board Member Evans shared that he has family members who were exposed to COVID-19 and tried to get tested but were told they could only get tested if they were showing symptoms. Dr. Bullough stated he has been told repeatedly that if a person comes in direct contact with someone that is a confirmed case then they can get tested. Dr. Bullough texted Lori Weston, the CEO of Intermountain, and will let the Board know her response about the testing concern. To be tested there should be symptoms or direct contact with a confirmed case. There are not enough resources to test everyone. Board Member Carson stated there were some people in the North Summit area that had direct contact with a confirmed case and were still not allowed to be tested. Board Member Adams stated the Binax testing in the schools is addressing the asymptomatic concerns but there is a high rate of false negatives.</li> <li>• Dr. Bullough shared there is a fourteen-day upward trend of positive cases and we want to see the curve slope downwards. Chair Golding asked what makes us think the trend will change if everyone keeps doing the same thing. Dr. Bullough answered that the State Mask Order should help. Bolder steps have been taken as a State. The greatest concern is that new exemptions are being found. The changes being made are so rapid that the effects of the changes cannot be identified.</li> <li>• Chair Golding stated she feels helpless and would like to be proactive. Dr. Bullough stated he is not supportive of isolated Summit County efforts to be more restrictive. The majority of the County’s workforce lives elsewhere. There needs to be actions as a region to be effective. The County acted in isolation in March because Summit County was driving the surge. We are in a different situation now with lower rates of positivity. Board Member Carson stated it is not realistic to limit who travels into Summit County. Encouraging mask wearing, social distancing, and small groups has made a difference.</li> <li>• There is a new graph on the dashboard that shows hospitalizations and ICU capacity, including the total versus COVID patients. The rates right now show that any ICU patient will not get the care they need.</li> <li>• There will be a workshop focused on surge planning during Wednesday’s County Council meeting. The County is working hard to hone in on mass vaccination plans. The number of vaccinations being shipped to Summit</li> </ul>	<p><i>Summary:</i></p> <ul style="list-style-type: none"> <li>• <i>Data for COVID-19 was shared and discussed.</i></li> <li>• <i>The number of cases in the County and the State have increased after Thanksgiving.</i></li> <li>• <i>There is a concern that people cannot get tested unless they are showing symptoms. Anyone who comes in direct contact with a confirmed case should be tested.</i></li> <li>• <i>Isolated County efforts to be more restrictive are not supported by the Health Department. Regional efforts would be more effective.</i></li> <li>• <i>Mass vaccination plans were discussed and the plans are ongoing. There should be a final priority list from the State in two weeks.</i></li> </ul>

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	<p>County are not as great as was hoped. Clinical providers will receive the vaccine first, followed by long-term care facilities, essential workers, and so on. The target for the general population to receive the vaccine has moved up to June or July. The current vaccine is a two-dose vaccine with a two-to-three-week immune response. There is a light at the end of the tunnel with solutions in front of us. The State will release the final priority list for vaccinations in about two weeks. It is optimistic that the Summit County front line workers will get the vaccine in the middle of January. It is unknown how many of the vaccines Summit County will get in the first shipment. Dr. Bullough stated his intention to get the vaccine as soon as it is available to him as he believes in the scientific process.</p>	
<b>UALBOH Update and other Board Discussion Items</b>	<ul style="list-style-type: none"> <li>• Board Member Watterson stated there is no UALBOH update.</li> </ul>	<p><i>Summary:</i></p> <ul style="list-style-type: none"> <li>• <i>No UALBOH update.</i></li> </ul>
<b>Kim Carson Thanks</b>	<ul style="list-style-type: none"> <li>• Dr. Bullough shared that Kim Carson is rotating off of the Board of Health and County Council. The unusual insight of Board Member Carson has benefitted the County and Dr. Bullough thanked Board Member Carson on behalf of himself and the Health Department.</li> <li>• Board Member Carson stated it has been a privilege to work with the Health Department over the last eight years. Working on the Board of Health has been a highlight of working on the County Council. Board Member Carson looks forward to watching the great work that comes from the Board of Health.</li> <li>• Board Member Evans stated that Board Member Carson is his hero and a hero to thousands of people and thanked Board Member Carson for her calm wisdom. All Board Members shared their thanks to Board Member Carson.</li> <li>• Dr. Bullough stated that Board Member Carson's position is a County council liaison position and there are no other changing Board Members. The new County Council liaison will be assigned at the first County Council meeting in January.</li> </ul>	<p><i>Summary:</i></p> <ul style="list-style-type: none"> <li>• <i>Kim Carson was thanked for her service on the County Council and Board of Health.</i></li> <li>• <i>A new County Council liaison will be assigned to the Board of Health.</i></li> </ul>
<b>Adjourn</b>	<ul style="list-style-type: none"> <li>• The meeting adjourned at 5:47 p.m.</li> <li>• <b><i>Board Member Carson made a motion to adjourn. Board Member Evans seconded the motion. Motion passed 7-0.</i></b></li> </ul>	<p><i>Summary:</i></p> <ul style="list-style-type: none"> <li>• <i>The next regular meeting will be scheduled as a Zoom conference on Monday, January 4, 2021.</i></li> </ul>