



# UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE  
PROVO, UTAH 84601

## MINUTES

*September 22, 2008*

### Members Present:

Name	
<b>Rulon J. Barlow, MHA</b>	✓
<b>Joan Baldwin, DNSc, RN, HNC</b>	Excused
<b>Doris Baker, BA</b>	Excused
<b>Dennis Hess, MD</b>	✓
<b>Sandra M. Huff</b>	Excused
<b>Chris Sorensen</b>	✓

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

**Others present:** Richard Nielsen - Spanish Fork City, Derek Hill, Bruce Call - Pleasant Grove City, Lynn Flinders - UCHD, John Hill - Petroleum Retailers, Amelia Christian, Dee Rosenbaum - SFPD, Dan John - UDHD, Rodger Harper - North Utah County District Landfill. Terry Beebe - UCHD, Mike DeCarlo - Parsons/UTA, John D. Cluff - UTA, Wendy Holland, Eric Edwards - UCHD, Andrea Miller - UCHD, Carissa Hoggan - UCHD, Shane Dexton,

- Welcome / Introductions** - Rulon Barlow welcomed those in attendance.
- Approval of Minutes** - July 28, 2008.

**MOTION:** Dr. Hess made the motion to approve the minutes, which was seconded by Viola Ramos and passed by unanimous vote.

- Public Hearing to adopt a county-wide regulation for smoke-free parks and outdoor gatherings**

Mr. Barlow reminded the Board about considering a regulation to prohibit smoking in all public parks and public gatherings. He further explained that the regulation will go to Public Hearing with November's Board of Health meeting. This will give Utah County cities plenty of time to give their input

Jen Tischler from the Health Promotion Division who advises the activities of OUTRAGE, a youth anti-tobacco group from 12-18 years of age, reported on information collected by the

youth. Jen explained that Weber-Morgan's Board of Health passed a similar regulation in their meeting on August 26.

The group collected over 12,000 petition cards at various events, including the county fair, the Intermountain Healthcare Health Fair, and Spanish Fork rodeo. Support in favor of a regulation has been overwhelming.

Five thousand surveys were collected. The margin of error was only 1.3%, meaning that if the surveys were done again, there's a 99% chance that the data would be the same. Ninety-six percent of those asked are in favor of smoking restrictions at public gatherings, while only 4% wish to continue without restrictions.

**Discussion:**

The majority of mayors favor a county-wide regulation. Eagle Mountain's mayor opposed the idea, preferring to allow cities to establish their own ordinances.

Jen Tischler has made presentations to Orem, Springville, Mapleton, and Salem City Councils and the Council of Governments meetings. Mr. Sorensen questioned who would enforce the measure, and asked if the city police would be called on to enforce a regulation mandated by the Board of Health. Commissioner White said that compensation is partly an issue. Cities are called upon to enforce Board of Health regulations for tobacco and alcohol sales, but receive financial incentive from the Health Department to do so. Jen Tischler said enforcement responsibilities by city police departments would be minimal. Almost all compliance would be voluntary residents reminding others of the law restricting smoking around crowds. Jen Tischler explained that buying and posting signs advertising the law in every public park would be taken care of by the Health Department with the help of a state grant. Dr. Hess suggested that the mayors be invited to the public hearing. Jen will follow up and invite them.

**MOTION:** Dr. Hess made the motion to approve the Regulation to go to a Public Hearing at the Board of Health meeting on November 24, which was seconded by Viola Ramos and passed by unanimous vote.

**4. Adopt the Annual Fee Schedule with recommended changes**

- a) Dr. Miner reviewed the complete list of department fees for all programs with recommended changes. He explained that this process is done for most fees once a year in September because many of the fees are annual for businesses, and it allows time for the billings to go out before year's end for the new year.
- b) Vital Records fees are set by the state legislature so the Board does not have authority to set those. The Legislature may consider a fee, effective July 2009.
- c) Health Promotion is not recommending any fee changes.
- d) Environmental Health's (EH) recommended fee increases average five percent. Terry Beebe, Director of Environmental Health explained that all fees except wastewater fees were changed two years ago. Wastewater fees were changed last year. In light of the budget this year, Environmental Health is asking for a 10% increase in fees for this program to cover increased costs. They feel that 5% is reasonable for other programs. Non-compliance fees

- are additional for people who don't pay their fees on time, or who open without paying fees. EH is considering a 20% penalty if the fee is not paid after 30 days. After 60 days, the permit would be revoked. If someone opens without a permit, the penalty is to double the fee. Dr. Hess expressed concern over the increase for schools. Mr. Beebe explained that those fees wouldn't take affect until July 1. The increase for home daycare kitchens would be \$5 to \$10. Wastewater fees were doubled for subdivision development because it requires extra work to survey the lots to make sure they are buildable. Emission control fees are set by county ordinance. John Hale from the Utah Petroleum Marketers and Retailers Association expressed concern over the proposed increase for underground storage tank installation or closure. He said this places a burden on the retailers who provide the services of gasoline in the county. Mr. Beebe explained that EH is trying to help cover the cost of providing these services. They are looking at a 5% average increase, and these are in line with what it costs to provide the service. Mr. Hale asked the Board if they would consider staying at the same fee for another year on the installation and closure. He pointed out that there will be an additional \$30/year to a retailer's cost. Mr. Beebe clarified that this fee is a one-time fee, not an annual fee. Dr. Miner explained that the proposed fees don't cover all of the department's costs. The only fee that covers the costs is the Vital Records fee, which the State Legislature sets. All other fees are subsidized with local property tax. The department fees almost never cover all the costs of a program. If you go above that, it's no longer a fee if it exceeds your costs.
- e) Dr. Miner explained that the (++) next to some clinic fees, is the Health Department vaccine cost plus an administration fee of \$12. There are other fees where it's just a flat rate. Some sliding fees are based on household income level percent of federal poverty level. The immunization fees are complicated because of the insurance company's negotiations involved. Also, if the patient is a child and the parents can't pay, the fee must be waived for childhood immunizations. Lynn Flinders, Director of Nursing, discussed school immunization exemptions. Dr. Miner explained that when a family chooses not to immunize their child, they are required to obtain an exemption to get their child into school. The Health Department has been spending time issuing those and has never charged for it. Several local health departments have set a fee for consulting with these parents and filling out the paperwork for the exemptions. The Board recommended charging a \$13 administration fee per child for filing the exemption. Dr. Miner explained that whenever there is a whooping cough case in a school, it is the children who were not immunized who must be excluded from school. This takes a lot of nursing time identifying the exempted students and excluding them until the risk of the outbreak is over, so the fee offsets a tiny portion of that expense. Paragraph 4 will be amended to include: "A charge per child for an exemption filing would be the administration fee of \$13. The child must either be immunized or have an exemption."

**MOTION:** Commissioner White made the motion to approve the fee schedule, which was seconded by Mayor Washburn and passed unanimously

5. **Discuss proposing a household hazardous waste program funded by a tipping fee on waste delivered to solid waste disposal sites**

Dr. Miner said the North and South County Solid Waste Service Districts have expressed interest in having a county-wide household hazardous waste program where citizens year round can take their household hazardous wastes to a site rather than wait for once or twice a year opportunities. He referred to the event in March, which was very successful. The cost for disposing of the hazardous waste collected was \$60,000. The recommendation is that we do something similar to what Salt Lake County has done by establishing a tipping fee on each ton of waste that is taken to a solid waste landfill or transfer station, and use that money to fund a continuous hazardous waste collection site at each of our solid waste district transfer stations. This would help us be more efficient in collecting and disposing of the waste. It also allows for a “swap shack” where people can go in and use paint and other things that are waste for someone else but useful to others. This would help save the expense of disposing of some hazardous waste. The Health Department would make sure that the swap shacks are maintained. Rodger Harper from the North Utah County District Landfill said that their program also includes electronic waste collection and a program for fluorescent light recycling or disposal. Mayor Washburn said that some questions have come to him from the cities regarding collection and administration of the fee and the program, and if another entity has been added to the process. Mr. Harper explained that the actual disposal of the materials in Salt Lake County’s program is administered by the Health Department. One facility accommodates the regular solid waste, and a separate stand-alone co-located facility accommodates the hazardous waste. The district provides the location only. The 75 cent per ton tipping fee goes to the Health Department who administers the program. Mr. Beebe said that Salt Lake County holds several events through the year where they collect household and electronic waste. They also have an attorney on board for environmental crime prosecution. The transfer station’s actual disposal is administered by the Health Department but operated by the cities. Federal regulations permit small quantities of hazardous waste coming from households to go into a class one landfill, but this is not environmentally friendly. The real question is, do we want to do it right? Mr. Barlow suggested that Mr. Beebe and Mr. Clegg draft up a budget, along with different ideas on how the waste program would operate for Board discussion. Later the Board could consider a regulation to take to a public hearing. The Board was in agreement.

6. **Holding Tank Variance Request - Terry Beebe & UTA**

Dr. Miner explained that the state law allows for the local Board of Health to give a variance to the state law for use of holding tanks. The holding tanks hold the wastewater from toilets and sink facilities. It has no drain fields like a septic tank so all the waste is contained and has to be pumped quite frequently. They are frequently abused because they are very expensive to maintain, but occasionally the Board has issued variances for construction on a temporary basis. UTA is requesting a temporary holding tank permit for staff facilities only as they prepare for the Frontrunner Train. John Cluff, Deputy Department Manager for Frontrunner, explained that the facility would be for bus operators only. John contacted John Adams at Timpanogos Wastewater Treatment Facility for permission to connect into the city sewer system at the American Fork park

and ride. Mr. Cluff said the plan is to connect to the system prior to the commuter rail running. Mr. Cluff explained that the tank is closed properly when it is no longer needed. Mr. Barlow requested an annual status report on the tank for as long as the tank is in use. Terry Beebe will see that this is done.

**MOTION:** Commissioner White made the motion to grant a holding tank variance to UTA to install a tank at the American Fork Main Street Station, which was seconded by Dr. Hess and passed by unanimous vote.

7. **New Employees** -Dr. Miner reviewed the list of new employees.

8. **Other Business**

- 1) UALBH Symposium - Mr. Barlow encouraged the Board to attend next year.
  - a) Mr. Barlow explained that Dr. Dave Blodgett from the Southwest Public Health Department discussed the severe manpower shortage in public health. Utah ranks third in the most severe shortage category, the main reason being salaries. Dr. Miner said that we are continually hiring nurses. The County has had a very rich benefits package, and some of it was recently converted into salaries, making the salaries more competitive and recruiting easier.
  - b) Accreditation was discussed at the symposium. Health departments are against it and strongly voiced their concerns. However, accreditation is a national initiative. NALBOH is in favor and believes it will increase quality and make it consistent across the board.
  - c) The assistant director of the DEQ gave a good presentation, which discussed the mercury levels in our fish and lakes and the impact it is having on the population. Warnings have been posted to not eat certain types of fish, especially predatory types, because of the high mercury levels. Half of the mercury comes from China's dirty industries.
- 2) Mr. Beebe invited Derek Hill from the Petroleum Retailers to clarify for him the Underground Storage Tank Regulation. Mr. Beebe clarified that the Regulation was amended following public hearing to address all related services including leak inspections. Dr. Miner explained that the regulation was approved, including the clarification.
- 3) Commissioner White said that he had received questions about shower facilities required for hotels swimming pools. Dr. Miner said that the Statewide rule is for new hotel construction. Mr. Beebe will communicate with the hotel owners.
- 4) Dr. Miner said the cryptosporidium outbreak in public pools went from horrendous last year to nothing this year - great news!
- 5) Dr. Miner explained that the West Nile Virus (WNV) season ended the year with one human case and one asymptomatic blood donor who tested positive. There was one Hantavirus death in another part of the State. Equine WNV cases are down dramatically as well.

9. **Next Meeting** - November 24, 2008

Meeting adjourned at 5:45 p.m.

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

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