



# UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE  
PROVO, UTAH 84601

## MINUTES

January 26, 2009

### Members Present:

| Name               |         |
|--------------------|---------|
| Erin Maughan, PhD  | ✓       |
| Clyde Nielsen, RPh | ✓       |
| Doris Baker, BA    | excused |
| Dennis Hess, MD    | ✓       |
| Saundra M. Huff    | ✓       |
| Chris Sorensen     | ✓       |

| Name                        |         |
|-----------------------------|---------|
| Viola Ramos, MRC            | excused |
| Jerry C. Washburn, Mayor    | ✓       |
| Gary Anderson, Commissioner | ✓       |
|                             |         |
| Joseph K. Miner, MD, MSPH   | ✓       |
| Ralph L. Clegg, MPA         | ✓       |

**Others present:** Lance Madigan, Lynn Flinders, Dr. John Amadio, Jason Garrett, Dave Johnson, Terry Beebe, Ralph Clegg, Eric Edwards- Utah County Health Department, Paul Wake - Utah County Attorney, Cathy Smits - Provo City Pools, Miguel Teixeira - BYU student.

1. Welcome/ Introductions -

Dr. Miner introduced two new board members appointed by the Utah County Commission: Erin Maughan, RN, PhD, and Clyde Nielsen, Pharmacist. Saundra Huff was re-appointed to a second term, and County Commissioner Gary Anderson will be serving as the Commission representative on the Board.

2. Election of Board Chair and Vice-Chair -

**MOTION:** Chris Sorensen made the motion to nominate Mayor Washburn as Board Chair and Dr. Hess as Vice-Chair, and also that they be elected by acclamation. This was seconded Saundra Huff and the motion passed by unanimous vote.

3. Approval of Minutes - November 24, 2008

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

4. Review a proposed amendment to the Health Department Pool Regulations to consider adopting for public hearing at the March board meeting.

Dr. Miner explained that the Utah County Health Department is proposing amendments to our pool regulations to address new federal and state pool laws. Terry Beebe, Director of Environmental Health, explained that under the new federal Virginia Graeme Baker Pool and Spa Safety Act, owners had until December 2008 to install new drain covers that would prevent body entrapment and hair entanglement at the bottom of pools. The law is named for a 7-year-old granddaughter of former Secretary of State James A. Baker III who died in 2002 after being trapped underwater by suction from a drain.

Jason Garrett, the Department's Program Manager over pools, explained that though it doesn't technically become an issue for most city pools until they open around Memorial Day, a good portion of indoor pools, hot tubs and other facilities are out of compliance with that federal law. He explained that if a pool had some kind of incident right now, that they could find themselves facing increased liability.

Mr. Garrett said that most drains in Utah County facilities have suction of 30 to 40 gallons of water a minute. Of the roughly 400 public water facilities in the county, between 50 and 75 have begun the process of upgrading their drains. He also explained that the majority of pool owners missed the deadline because either the manufacturers lagged in creating and testing the equipment needed for the upgrade, or because the change over is very expensive. Many of the pools were built in such a way that it requires extensive work to their floors to make the change. Major renovations could run into the tens of thousands of dollars, and most of the pools that have been inspected are having to cut the bottom of their pools out to replace the main drains. Many pools are also working to meet a state law requiring two-drain systems that redirect suction if they sense a blockage on one of the drains.

Mr. Roger Thomas, Director of Provo's Parks and Recreation Department, said his staff has contracted with a company to evaluate the city's drain systems, but they're waiting for manufacturers to develop the right hardware. He also said that passing legislation requiring equipment that didn't yet exist was an instance of putting "the cart before the horse." Mr. Beebe explained that the department staff are recommending the date of June 1, 2009 for public pools to be in compliance. If, based on public comment, that date seems unreasonably early then the board may consider setting another date for compliance.

**MOTION:** Mr. Sorensen made the motion to adopt the proposed amendment for public hearing at the March 23 Board of Health meeting. It was seconded by Sandra Huff and passed by unanimous vote.

5. Comments from a Tanning Business Operator / Owner

Dr. Miner explained that the owner of a tanning business called him requesting permission to run his tanning business after hours with no supervision. However, the individual did not come to the meeting today. Mr. Beebe explained that there must be supervision at all times because of safety issues. There is already a regulation in place requiring employee supervision of

tanning, but some businesses feel electronic cards restricting access for clients will address those safety concerns.

6. 2009 Legislation - Concurrence Legislation Senate Bill 21 - Senator Stowell
  - a. Dr. Miner explained that SB 21 is a concurrence bill which would require the Utah Department of Health (UDOH) to include local health department representation in decisions involving federal grant applications and distribution of funding. UDOH is opposed, but legislative support is very strong. Only state health departments are allowed to apply for most grants from the CDC, but the funds should be for statewide use. The concern has been that the Utah Department of Health has not distributed the funds fairly with local health departments. UDOH asks us to do surveys, focus groups, collect data, etc., with very little or no money. Dr. Miner asked the Board to speak with their legislators when they get the opportunity to request support for the SB 21. The Board agreed to send its support for SB 21 to the legislators. Dr. Miner said he would forward to them weekly updates of health related legislation during the legislature.

**MOTION:** Commissioner Anderson made a motion that the Board will support the Concurrence Legislation Senate Bill 21, which was second by Saundra Huff and passed by unanimous vote.

- b. Budget cuts - Dr. Miner explained that because we receive so little money from the UDOH, we won't be hurt very badly by any legislation that does cutting. They are proposing to take some State block grant money and a small amount from Environmental Health. Substance Abuse could potentially be hurt because most of their funding is State/Federal. The school districts' funding to us for school nurses could be affected also. School nurses' highest priority responsibility is to develop care plans for the many children who have serious chronic medical conditions such as seizures, asthma, diabetes, tube feeding and respirators, etc. They work with the parents, physicians, and school staff to see how the child's health problems will be addressed at the school.
7. New employees - Dr. Miner reviewed the list of new employees with the Board. All are part time temporary or grant funded. Several other positions have been left vacant. No one from the Health Department has been laid off so far.
8. Other business
  - a. The Health Dept. has prepared information about the salmonella outbreak for the weekly newspapers in the north end of the county. The last count is about 500 cases nationwide and 5 in Utah; none of which were in Utah County. The FDA is recalling 130 products.
  - b. Mr. Nielsen mentioned that the prescription discount cards can not be used in addition to other coverage. Lance explained that the newspapers ran incorrect information. Lance explained that people can use their insurance or the card, but not both. The card is most helpful with expensive prescriptions. Mr. Nielsen said that pharmacists do all they can to promote generic prescriptions.
9. Next meeting - Monday, March 23, 2009 at 4 p.m.

**MOTION:** Commissioner Anderson made the motion to adjourn, which was seconded and passed by unanimous vote.

Meeting adjourned at 5:30 p.m.

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Joseph K. Miner, M.D.  
Executive Director  
Utah County Health Department

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Mayor Jerry Washburn, Chair  
Utah County Board of Health