



UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE
PROVO, UTAH 84601

MINUTES

May 24, 2010

Members Present:

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

| Name | |
|-----------------------------|---|
| Viola Ramos, MRC | ✓ |
| Jerry C. Washburn, Mayor | ✓ |
| Gary Anderson, Commissioner | ✓ |
| Diane Lohner | ✓ |
| | |

Others present: Debbie Eyre - Board Secretary, Joseph K. Miner - MD, Ralph Clegg.

Utah County Health Department: Pat Bird, Meagan Dalrymple, Karen Beaty, Kari Schmidt, Johanna Swenson, Toni Carpenter, Kailan Anderson, Jen Tischler, Logan Jones, Elias Atkinson, Lynn Flinders, Terry Beebe, Eric Edwards, Jared Garrett, Steve Alder, Pat Bird, Lynn Flinders, Lance Madigan

Erik Davis and Aaron Hart from BYU, Todd Tomlinson from the Utah Developmental Center, Dave Boshard from North Fork Water District, and Don Meyers from the Salt Lake Tribune

1. Welcome and introductions - Dr. Hess, Vice-Chair. A new board member, Diane Lohner was introduced.
2. Approval of minutes for March 22, 2010

MOTION: Clyde Nielsen made the motion to approve the minutes, which was seconded by Commissioner Gary Anderson and passed by unanimous vote.

3. Review the Proposed Utah County Drinking Water Source Protection Ordinance.

Terry Beebe, Environmental Health Division Director, explained that the ordinance was discussed in the last Board of Health, and the decision was made at that time to review it again after others had a chance to review it and make comments. Among those with concerns were representatives

from Brigham Young University who were worried that the ordinance could affect some of their properties that are close to public drinking water sources.

Mr. Beebe gave a history, explaining that a small community here in the state had concerns that the sources for their town's drinking water were outside of their jurisdiction and they would lose control of the water. They approached their state legislator, and in 2008 a regulation was passed requiring all class 1 and 2 counties adopt a drinking water ordinance by May 10, 2010.

Terry handed out copies of the ordinance for review which is being considered for adoption by the Utah County Commission. He explained that the ordinance as drawn up by Utah County, mirrors the State Drinking Water rule which is already being enforced. Environmental Health is recommending the Board be aware of this proposed County ordinance which has public health requirements.

Erik Davis from BYU explained that they had concerns about how the ordinance would affect their ability to make improvements and modifications at their Aspen Grove family camp up American Fork Canyon. They are planning to do some improvements in that area. Mr. Davis was asking to continue to have an open dialogue with the Board during the construction phase of their projects to make sure that they are not unreasonably restricted, as long as they take into consideration ways to make sure they are protecting the water source.

MOTION: Mr. Sorensen made a motion that, inasmuch as this ordinance follows closely the State rule, that the Board of Health give their full support to this Utah County Drinking Water Source Protection Ordinance. This was seconded by Mr. Nielsen and passed by unanimous vote.

4. Request for a variance from the Department Tanning Regulation.

Dr. Miner explained that a woman who has a tanning business has requested a variance to operate a tanning business 24/7, allowing clients to tan without supervision. The Board has resisted this because serious injuries and accidents can occur. Also because tanning is inherently not a healthy thing to do, we do not want to make it easier for injury and abuses to occur. Other local health departments have allowed this with certain safeguards, but this Board would need to be assured by this individual that our concerns have been addressed. Up to this point, the Board has not been satisfied with any previous requests. The individual was invited to this meeting but it not here today, so her request will be postponed to a later time.

5. Utah State Development Center Swimming Pool Temperature Variance Request.

Dr. Miner introduced Todd Tomlinson from the Utah State Developmental Center (USDC) who explained that the center has a 20 x 30 foot therapeutic pool that uses water that is warmer than allowed for a regular swimming pool. The center has been using this pool at this temperature for over 35 years, and are now being told that they need formal approval to have the water at this warmer temperature.

Jason Garrett, Environmental Health Scientist explained that the State rule for a general recreation swimming pool restricts the maximum water temperature to 86 degrees. Unless the Board can

make a recommendation to the State for this variance , continued use of the pool cannot be approved because of the risk of increased bacterial growth in the higher temperature and risk of hyperthermia. Mr. Garret explained that the difference with a therapeutic pool and a recreation pool is the increased frequency of water turnover to prevent bacterial growth, and a timer to limit length of use to prevent hyperthermia. This pool does not have adequate turnover of water required for a therapeutic pool.

Dr. Miner explained that the staff at the Developmental Center feel patients benefit from the warmer water. They don't vigorously exercise in the water so they have less risk to overheat, but we need to assure the Center has a variance to continue as they have. The Board enforces State rule and cannot make a rule less restrictive, so if the Board recommends a variance, the USDC will need to appeal to the State for that variance.

Mr. Tomlinson explained that he works with patients who are confined to wheelchairs. They are put in the pool, some in life jackets. As their movements are next to nothing, the pool is kept around 95 or 96 degrees so they will be comfortable. The water is monitored closely and bacteria samples are taken monthly with no problems. If a patient does have an accident, the staff are aware of it immediately and can take measures. The pool is not open to the public. Because of the relaxing benefits of the pool, the patients are able to take less medication.

Mr. Sorensen asked if recommending a variance would indemnify the Board if there was a problem. Mr. Beebe explained that the Board would not actually grant the variance, but would present the proposal recommending the State grant the variance. Copies of Mr. Tomlinson's proposal were available for review. Mr. Garrett suggested that the proposal be amended to specify that the pool use is only for certain patients and staff as prescribed, and limiting the amount of time patients are in the water.

Mr. Tomlinson explained that due to budget cuts, the pool may be shut down in August anyway.

MOTION: Commissioner Anderson made the motion to recommend the variance to the State, including the restrictions outlined by Mr. Garrett. This was seconded by Diane Lohner and passed by unanimous vote.

6. Hookah Bars and the Utah Indoor Clean Air Act.

Eric Edwards, Health Promotion Division Director, explained that an individual is considering opening a Hookah Bar in Utah County. Mr. Edwards has discussed the request in detail with State and local staff familiar with the Utah Indoor Clean Air Act.

Jen Tishler from the Tobacco Prevention Program explained that hookahs are fairly new to the US, but have been around for over 400 years - originating in India. They are used to smoke specially-made flavored tobacco, typically as a group activity. Ms. Tischer showed a hookah pipe like the ones used in the hookah bars. They are also called water pipes or bongs.

Contrary to popular belief, use of the hookah pipes is not a safe alternative to cigarettes as they deliver as much nicotine as 70 cigarettes, and are as toxic as cigarette smoke. During a 40-45 minute session, a person can inhale as much as 100 or more cigarettes because of the length of time

spent using the device. Also, the water in the pipe does not filter out the chemicals. The charcoal that is placed on top of the hookah is burning, which creates cancer causing chemicals and heavy metals, and the second-hand smoke is as dangerous as from cigarette smoke. Germs from sharing the pipe around the group is also a concern. Use of a hookah pipe poses the same danger as cigarettes to unborn babies if the mother uses it.

The Health Department is concerned about the appeal that using hookah pipes has to youth because it is a social activity, the flavored tobacco masks the flavor of the tobacco, and the smoke produced is cooler making it appear safer than cigarettes. Surveys have found that cigarette smokers typically get 8-12 cigarette puffs per minute; hookah users get 50-200 puffs. It has been discovered that some people experience nausea and vomiting after using a hookah due to the amount of chemicals and nicotine they take into their system. Hookah pipes can be purchased for personal use at shops that carry them.

For these reasons, Dr. Miner and staff are asking the Board to clarify that hookah pipe smoke falls under the Utah Indoor Clean Air Act. Apparently Salt Lake Valley Health Department has so far decided to not regulate hookah pipe tobacco smoke under the Utah Indoor Clean Air Act. Mr. Edwards showed a video explaining how hookah pipes work and said he believes this issue will be discussed in the upcoming legislative session. Therefore, individuals who open a hookah bar need to realize that future laws and legislation elsewhere in the State may impact their business.

Dr. Miner explained that this issue is an important public health concern. The American Lung Association also recommends that water pipe tobacco smoke should fall under the same regulation as all other second-hand tobacco smoke. Mr. Edwards recommended that the Health Department provide education to the public, school faculty, physicians, etc.

Mr. Nielsen explained that from his professional background and experience as a pharmacist, there's no such thing as tar coming through water and losing its potency, so there are serious flaws in the hookah arguments. Nicotine is one of the most addicting substances so why add another source to our community?

The Board discussed adopting a simple regulation to go to public hearing, clarifying that hookah pipe smoke will be treated in accordance with the Utah Indoor Clean Air Act.

MOTION: Commissioner Anderson made the motion that the Board adopt for public hearing a regulation clarifying that hookah pipe smoke is subject to the Utah Indoor Clean Air Act. This was seconded by Diane Lohner and passed by unanimous vote.

7. Detailed review of expenditures and revenues by program.

Ralph Clegg referred to the handouts which listed the revenues and expenditures for every program in the Health Department, along with a narrative that explained briefly each of the programs. The programs are funded by fees, grants, or local property taxes. The report represents a good picture of the value of each program, helps us evaluate if fees are in line with the service, and shows where the public tax dollars are being spent.

8. Report of the success of the Clean-Out-the-Cabinet Collection Campaign.

Pat Bird, Prevention Special for Substance Abuse, thanked Environmental Health and all those who helped with the campaign. Ten events were held in Utah County. Over 892 pounds of medications were turned in, or about 92,000 pills with a street value of about \$2.6 million. The event reduced consumption availability by removing the drugs from the public. People are starting to lock up their medications and checking the expiration dates. The Substance Abuse Division plans to hold this event twice a year. Mayor Washburn has told Mr. Bird that Orem City is considering holding an event as well. Mr. Bird said that there are ten ongoing collection sites at law enforcement offices in Utah County. The Board applauded the program for their efforts.

9. Report of the success of the Household Hazardous Waste Collection Day.

Toni Carpenter, Environmental Health Educator, explained that the event this year served over 1500 households. Approximately 900 vehicles came through, the majority from the Provo/Orem area. The event was held at the Utah Valley University parking lot. The event also included the Clean-Out-the-Cabinet Collection Campaign. The Health Department partnered with the Utah Valley University police department for drug disposal for the clean out the cabinet collection event. Over 740 gallons of oil, 275 gallons of antifreeze, and 10,000 gallons of paint were recycled. Ms. Carpenter expressed appreciation to the 80 volunteers, including UVU and BYU students. Two permanent drop off sites for drugs are in the planning stages.

10. New employees.

Dr. Miner reviewed the list of new employees and those leaving. All new hires are part-time/temporary and are funded by grants and no local tax dollars.

11. Other business

- a. Dr. Miner discussed the Saratoga Springs geothermal pool. They had a hard time initially getting the mineral deposits off the pool surface, but they finally discovered that a propane torch flame will crack it off very well. This has worked wonderfully.
- b. Saratoga Springs has had a problem with a campylobacter outbreak from specific areas of their drinking water system. Symptoms were nausea, vomiting and diarrhea. A boil order was issued, and the city public works staff and health department are trying to determine where the bacteria is coming from. It is suspected that some residents have installed cross connections between their pressurized irrigation pipes and their drinking water pipes, contaminating the city's drinking water in that zone.
- c. There was a recent outbreak of Salmonella Newport in Utah County, which was found to come from raw milk. The milk came from a dairy in Redmond, Utah and sold in stores in Richfield, Orem and Heber City. Testing of milk samples at the dairy from the time of the outbreak also tested positive for Salmonella Newport. More recent samples are not testing positive for Salmonella.

12. Next meeting - July 26 in the H&J Building, Suite 2500.

Meeting adjourned at 5:30 p.m.

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

Mayor Jerry Washburn, Chair
Utah County Board of Health