

# UTAH COUNTY BOARD OF HEALTH

151 SOUTH UNIVERSITY AVENUE  
 PROVO, UTAH 84601

## MINUTES

*September 22, 2014*

### Members Present:

Name	
Gaye L. Ray, RN	X
Clyde Nielsen, RPh	X
Supt. Keith Rittel	X
Dianne C. Carr	X
Henry M. Yeates, M.D.	excused

Name	
Teresa Tavares	excused
Mayor Jeff Acerson	X
Diane Lohner	X
Cmsr. Doug Witney, Chair	X

**Others present:** Dr. Joseph Miner - Utah County Health Department (UCHD) Executive Director  
 Debbi Solen - UCHD Secretary  
 Number of people who signed attendance sheet - 17

- Welcome and introduction of new board members by Commissioner Witney.
- Approval of the Minutes from the July 28, 2014 meeting.

**MOTION:** Dianne Carr made the motion to approve the minutes, which was seconded by Jeff Acerson and passed by unanimous vote.

- Proposed Septic Holding Tank for the North Point Transfer Station

Jared Hawes from the North Point Solid Waste Transfer Station is requesting an exception for a septic holding tank for very limited use. It has been recommended by an IGES engineer to relocate the scale house farther west and they will need to build a restroom for the 2 employees to use. They estimate about 20 gallons a day will go into the tank. Other employees and the truck drivers will continue to use the restrooms that are located about a quarter of a mile away and connected to the sewer system. Moving the scale house will allow traffic coming and going to it to be away from the boat harbor and other activities relieving the congestion. Because of the ground water at the lake a septic tank drain field is not feasible. The fact that

only two employees will use it and no washing machines, showers or other high water usage will be involved connecting to the city sewer is not financially viable. A holding tank makes sense. The special service district has committed to pumping the tank every 3 months and will receive annual inspections. Paul Jones, county attorney, will write up an agreement. The City of Lindon has approved the proposed holding tank on the condition it is approved by the Board of Health. They would like to start construction in a couple of months and be in full operation May/June 2015.

**MOTION:** Gaye Ray made the motion to approve this variance to allow a separate holding tank for the North Point Transfer Station scale house, which was seconded by Diane Lohner and passed by unanimous vote.

4. Utah Association of Local Boards of Health (UALBH) selected Suelyn Massey, a Utah County resident to receive the 2014 Friend of Public Health Award. Dr. Miner has the award to present to her in their behalf.

Since 2012, Suelyn Massey has been assisting the Utah County Health Department with the tobacco prevention and cessation efforts. Suelyn started smoking at age 16 and successfully quit nearly 2 years ago with the help of the Utah Tobacco Quit Line. She has been selected to be featured on a billboard that will be up in the near future in Utah County promoting the new "Way to Quit" services.

Suelyn says she quit for her children and is looking forward to having a future with them and with her future grandchildren. She felt that changing her behavior was the best way to teach her children. She is not afraid to talk to people about quitting or sharing her own experience. She has spoken at a Press Conference at the Capitol with Governor Herbert and at the Kick Butts Day event held last March and is featured in a healthcare provider brochure used across Utah promoting the Utah Tobacco Quit Line.

Thank you, Suelyn Massey, for your outstanding support of Public Health.

5. Consider Proposed e-Cigarette Liquid Refill Regulation for Public Hearing at November meeting

Eric Edwards presented a proposed draft for an electronic smoking device regulation. The regulation is modeled after Davis County's regulation with their recent changes. An e-Cigarette Fact Sheet from the State Department of Health and a Utah Law and Electronic Cigarettes Fact Sheet were distributed. We are awaiting the lab test results of the nicotine level from their 3 e-liquid samples taken from 3 different shops.

The Board feels there needs to be clarification in the labeling. The containers are very small so this may prove to be difficult. The information might have to be on the packaging for the container. They would like the container to be leak-proof as the e-liquid absorbs through skin. Child-proof caps are required.

There was discussion as to exactly how much e-liquid is lethal to a child. Baby aspirin (chewable for children) can't be dispensed in a bottle of more than 36 pills as that is the lethal dose for a child up to 60 lbs. Something similar should be done for e-liquid. A package of cigarettes contains 20 cigarettes with 1mg of

nicotine each. The small bottles of 10 ml of e-liquid contains 5 times the lethal dose for a child of 60 lbs. If the label says no nicotine then it should not have any.

You can purchase e-liquid at tanning salons, skate shops, gas stations and many stores as well as on-line. The stores keep them on open shelving but usually behind the clerk. However, the clerks give you free access to the shelf. Gas stations usually have them under lock and key but open the case for you so you can pick what you want. Licensing is not addressed by the Federal government. State law addresses licensing (selling) and the Utah State Health Department is currently working on a proposal. There is a law that prohibits under-age youth possessing an e-cigarette so the police can issue a citation for a civil penalty for this and require the youth to attend a class given by Health Promotions at the Health Department. The Board is looking for ways to make the retailer responsible, much like tobacco.

Section 5.2 of the draft addresses the unsubstantiated claims of e-Cigarette advertising, section 5.4.2 addresses the sanitation and safety of the manufacturing of e-Cigarette liquid, and 5.5.2 says retailers who allow e-Cigarette product sampling in their store are not to allow anyone under the age of 19 to enter the establishment.

The Board would like to move ahead with the regulation and receive public comment at the November board meeting. There are still some things to find out and these can be used and incorporated into the regulation later. For instance, what is the average size of a 2 yr. old and what is the potentially lethal dose of nicotine. Janae Letterman, Tobacco Health Educator, will visit each vape shop owner and get their feedback on the current draft. Clyde Nielsen will visit some of the vape shops to better understand quantities on the labels. Toni Allman, Tobacco Health Educator, will contact the Poison Control Center to determine the potentially lethal dose of nicotine. Eric will contact the lab regarding the test results.

**MOTION:** Gaye Ray made the motion to take the Utah County Electronic Smoking Device Regulation to public hearing, which was seconded by Diane Carr and passed by unanimous vote.

## 6. Consider Support of a Proposed Marijuana Compact

Kye Nordfelt from the Department of Drug & Alcohol Prevention & Treatment (aDDAPT) spoke on the importance of having a balanced marijuana policy. There are 4 things to keep in mind when creating marijuana policy; protect families (citizens) and the community, a strong economy, the medicinal value, and law enforcement. (The Utah Marijuana Compact)

Medical research show marijuana can damage developing brains, cause addiction, affect memory, decrease motivation, increase onset of mental illness and impair motor skills. Fewer youth today believe marijuana use is harmful and states are debating whether to approve it for recreational use.

Having low drug use rates helps in recruiting and keeping businesses in the area. There seems to be an indication that using marijuana products, in liquid or pill form, is beneficial for some patients. These products should be FDA approved, pharmacy dispensed, and non-smoked medications. For consumer protection the same person diagnosing should not be selling medications. Utah currently is a medical

marijuana state. Law enforcement should emphasize treatment over incarceration for marijuana offenders and have the right to enforce federal, state and local laws that protect our community.

aDDAPT will take a list of supporters of The Utah Marijuana Compact to the state legislators and ask them consider these 4 principles when considering marijuana legislation. The compact supports legitimate medical use of cannabis products that have been FDA approved, pharmacy dispensed, and non-smoked.

**MOTION:** Clyde Nielsen made the motion to support the Utah Marijuana Compact, which was seconded by Dianne Carr and passed with Supt. Keith Rittel abstaining.

#### 7. Trampoline Gym Injuries Report

Eric Edwards from Health Promotions has been compiling the data received from Utah Valley Regional Medical Center and 2 of the jump gyms. Jump on It has not reported any injuries, but the hospital doesn't show any for them either. It is being recommended to create a form that will specify what information we want reported. We'd like them to report even if they don't have any injuries and we'd like to have more hospitals involved as well. Commissioner Witney will write a letter to send with the form reminding them if they don't comply by reporting the information that we will re-consider adopting a regulation.

#### 8. Utah County Clean Air Task Force Update

Andrea Jensen representing the Clean Air Task Force said they were awarded a grant from Mountainland Association of Governments and from Travelwise to purchase enough flag kits for every school in Utah County. These are colored flags that will be flown under the American and Utah State flags and will indicate the air quality. Daily email alerts from DEQ to the schools will be the official measurement of the air quality. A letter was sent home with every student explaining the flag program and will be distributed with city notices as well. Not only the students and school personnel will know the air quality but those in the surrounding neighborhoods will too. This will bring more awareness of our air quality and help each of us do our part in improving the air we breathe.

#### 9. Annual Review of Department Fee Schedule and consider adopting with proposed changes.

Department fees must not exceed the actual costs of providing the service. Utah County Health Department proposed fee increases are still less than Salt Lake County Health Department fees. Our food service fees have increased the most. The mobile truck fee covers the required commissary and the truck. Utah County Health Department has to inspect food truck culinary water sources. Some restaurants are approved as a commissary. Food carts and their associated problems are not in Utah County yet.

Pool plan reviews have increased. As an example, the Orem Rec Center was approved, but Environmental Health staff spent 25 hours of work and charged just \$300.00.

**MOTION:** Diane Lohner made the motion to accept the proposed amended fee schedule, which was seconded by Keith Rittel and passed by unanimous vote.

10. Board Member Feedback from Constituents

- A recently divorced woman with no insurance and limited income mentioned to a Board member how pleased she was with the Women's Cancer Screening program at the Health Department (UCHD).
- Board members are being asked if the flu vaccine is available. Yes, flu vaccine is now available.

11. New Employees

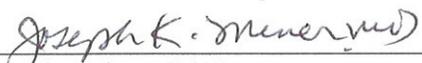
Board members were referred to the list of employee changes.

12. Other Business

- September 18-19, 2014 was the annual Utah Association of Local Boards of Health (UALBH) Symposium in Heber, UT. We had wonderful representation with five of our Board members attending. Clyde Nielsen had also planned on attending but his car broke down half way there.
- WIC enrollee numbers have gone down across the State. The Food Stamp numbers have increased. It is easier to get Food Stamps, but WIC is a health and nutrition program and so much better. Just this year a child was found to have leukemia and a new mother with severe anemia was transported to the ER for blood transfusions.
- Local elected officials want to work with the Health Departments and have asked each Board to have a Board member meet with them during the legislative session every Friday morning starting in January 2015. Jeff Acerson has volunteered to do this.

**MOTION:** Diane Lohner made the motion to adjourn the meeting which was seconded by Gaye Ray and passed by unanimous vote.

Meeting adjourned at 6:00 p.m.  
Our next meeting will be November 24, 2014.

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

  
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Commissioner Doug Witney  
Chair  
Utah County Board of Health