

WEBER-MORGAN BOARD OF HEALTH

MINUTES OF MEETING

April 27, 2015

The Weber-Morgan Board of Health held its regular meeting on April 27, 2015 in the Health Department auditorium at 477 23rd Street. The meeting was called to order at 4:02 p.m. with Neil Garner presiding.

BOARD MEMBERS PRESENT:

Neil Garner, Chair	Tina Kelley
Ken Johnson	Dr. Frank Brown
Matt Bell	Toby Mileski
Kerry Gibson	James Ebert
Brent Taylor	Dave Holmstrom

STAFF MEMBERS PRESENT:

Brian Bennion	Kay Larrison	Lori Buttars
Lou Cooper	Brian Cowan	Cathy Bodily
Michela Gladwell	Michelle Cooke	Dustin Anderson
Scott Braeden	Summer Day	Bryce Sherwood
Elaine Wendt	Jacob Matthews	Suzanne Clifford
Colleen Jenson	Jarelyn Cox	Lori Greene
Jesse Bush	Brie Kennedy	Adrianna Guzman

OTHERS PRESENT:

Chris Crockett, Weber County Deputy Attorney		
Kevin Lott	Jerry Paskett	Craig Butters
Marion Horna		

Welcome and Introductions– Neil Garner

Neil Garner calls the meeting to order at 4:02 p.m. and welcomes those in attendance.

Approval of Minutes of March 23, 2015 – Neil Garner

Motion Passes

A **MOTION** is made by **Dave Holmstrom** and **SECONDED** by **Matt Bell** to approve the minutes as written. The **MOTION** passes unanimously.

Wastewater Presentation-Michela Gladwell

Information Only

Michela Gladwell begins by saying that there is a lot of property in Weber and Morgan Counties that are not served by a sanitary sewer, so in order to develop these properties they require septic systems. She explains the process to permit these properties. State code R317-4 is the rule which protects public health and the environment from adverse effects of onsite waste water and gives local health departments authority to oversee the program locally by issuing permits, requiring maintenance, and overseeing service providers. Weber-Morgan Health Department's Onsite Wastewater Treatment Systems Regulation is our local amendment to the state rule which further clarifies items such as operating permits, sewer connection requirements, lot size, slope, and other items more specific to our health district. She

explains the process in regards to site and soil evaluation, water table testing, site limitations, and percolation testing that is used to determine loading rates for the design of the septic system, and the procedures used by the health department to issue a permit. There is discussion about connecting to a sewer if an existing septic system is well maintained and functioning, examples when connecting to sewer would be required, procedures taken if development is approved and problems prevent a permit being issued, what authority the health department has to prevent building on a property, and why the water table is sometimes allowed at twelve inches rather than twenty-four inches.

Diesel I/M Presentation –Lou Cooper

Information Only

Lou Cooper starts by saying that last year the I/M Advisory Committee (now known as the Air Quality Advisory Committee or AQAC) recommended that the health department bring information to the board for a diesel I/M testing program. He shows a PowerPoint presentation on diesel and particulates and describes the different sizes of particulates and how they affect the body. He states that HB110 now gives the DMV authority to suspend a vehicle's registration if the vehicle does not meet air emissions standards. DEQ is now trying to pinpoint other sources to reduce particulate and has graphs and data for each county on their website. He clarifies that the program would not include farm equipment, vintage autos, and heavy duty diesel vehicles, and would help with the problem of owners who do not fix their diesel vehicle when the check engine light (Malfunction Indicator Lamp or MIL) comes on. Since they do not have to pass an emissions test, they could drive with the light on until the vehicle has more serious problems, when it is typically an inexpensive and quick fix of replacing an air filter. Studies from Oregon have shown that an estimated twenty percent of vehicles- when in a nonattainment area- ignore the check engine light. Gas vehicles have to get it fixed because of yearly inspection and emissions testing, so the light may be on for six months, and now needs to be fixed to pass. But with diesel, there is no way to address it. He says that extending the testing program to eight thousand vehicles in Weber County is a logical, low cost way to address our air quality issue and improve our community's health. Shops currently have the equipment with the current vendor to do an On-Board Diagnostic (OBD) test for diesel, which is why we are proposing to test 2008 and newer vehicles. The public understands the process, it should be relatively seamless to implement, and he has not heard any concerns from shop owners. **Tina Kelley** expresses concern about the AQAC and says that she felt misinformed or misled about not reappointing everyone who had applied. She thought the Board was adding three members in addition to who was already sitting on the committee. She questioned if members even had a chance to reapply and said it would be beneficial to have their experience on the committee since they have been in good standing. **Lou Cooper** explains that the purpose was to create a balance by not having a majority of the committee being represented by any one area, and that having members representing education, shop owners, and the general public helps to balance out the committee. Increasing the number of members is an option. There is discussion of the process when a person applies and doesn't fit the criteria, that the committee is there to serve the Board of Health thus it makes sense for them to decide who should be on it, the makeup of it, and what assignments they are given. The AQAC had discussed organizing a subcommittee devoted to vehicle emissions and maintenance and chose not to but there are other options available. Appreciation is expressed for board members

attending the AQAC meetings and bringing information back to the Board for a better understanding of what was discussed in the meeting and for the minutes being more reflective. It is recommended that the Board give the committee guidance as far as which direction to go on issues. It was agreed to having a work session consisting of a few board members, health department staff, and members of the AQAC. The Board can take action in June. **Toby Mileski** says he did some research and gave statistics of data from Cache County. He reports that he spoke with Division of Air Quality who gave insight as to what they believe the biggest problem is which is all the cars on the road - 24,940 more cars from 2007 to 2013. He goes on to say that being more proactive, no idling, and limiting trips on red days would be a better way to address the problem. He also says he found it interesting that Bear River Health Department won't fine a shop if they pass a vehicle that had been tampered with, yet if they can prove that the shop has committed fraud, the shop gets a six month suspension and their permit taken away if repeated. **Ken Johnson** says he understands fixing a vehicle can be expensive, bothersome, and inconvenient but even ten percent would help and we should do anything we can do. **Toby Mileski** goes on to say that with the legislature giving the DMV authority to revoke registrations, thinks as soon as it's possible and practical, Weber-Morgan should come up with an regulation that says visibly smoking vehicles that are reported must respond or their registration can be revoked. He questions as to why shops can't just look for the check engine light when diesel vehicles go in to be safety inspected and if on, the vehicle has to come back. **Lou Cooper** explains that without a program we can't do that and it would have to be put in an ordinance that we have authority to require it. He also says that owners could also disconnect the malfunction indicator lamp and there is no way of knowing without plugging in the OBD. He says that all these things would be a valuable discussion for the work session, and that staff will bring data to help them make an informed decision. **Kerry Gibson** voices concern about the presentation being extremely one-sided. He likes to hear the pros and cons, what the possible detriments of doing this would be, and the impact it has on others. He states that three pieces of legislation passed this year alone that address this issue, and we need to find ways to solve problems and not regulate just to regulate, that we better make sure before we do this that we are going to solve a problem. He understands we are doing everything we can, but there needs to be a tradeoff. We need to look at the other side, what it would really cost to get that nine percent, and what the impacts are. He refers to Utah HB17 and says law enforcement officers are not only empowered but encouraged under this bill to pull a smoking vehicle over and issue tickets. This is a step in the right direction. He says we need to solve the problem but feels scare tactics don't really get down to what the real issue is, which is how much of a difference can we make through this regulation, and what is the cost benefit analysis to those we are impacting. He goes on to say that the same beautiful environment that we are looking at is the same thing that causes some of this and maybe we can't fix it. We can do an awful lot, but we are in a better situation today than 20 years ago, we just have more people, and as we add people, we need to clamp down and be careful how we do it. He would still like more information. **Dave Holmstrom** asks about wood burning stoves and how much pollution stoves create. He would like data showing a comparison of particulate emissions of wood burning stoves, diesel engines, and gas vehicles. **Lou Cooper** explains that wood burning stoves are a sliver and eight thousand diesel vehicles will be a sliver as well, but they will have an impact. Board members say that this is the data they want; what

impact eight thousand vehicles would have. **Neil Garner** repeats that Mayor Mileski said that it is all the cars not just gas or diesel, and with thirteen of the nineteen being fixed, wants studies to see whether it is worth going after the thirteen vehicles. He requests copies for board members of the statistics that Mayor Mileski is referring to. **Lou Cooper** says an air filter is a common, easy fix, yet with diesel not having to be tested, bad filters can go on forever. Efforts have been made to educate the public with programs such as the Be Air Aware campaign. He reflects that we can't change the fact that we have an inversion, but we can change what we put in it. He asks for questions that he can research and have for the work session. **Toby Mileski** says that the cost impact would be \$240,000 for eight thousand diesel vehicles times \$30 for the test. He asks for the studies that Lou refers to. **Neil Garner** states that he would like to have a discussion and have Mayor Mileski share data and have Commissioner Gibson give a brief synopsis of HB17. They will work on getting a subcommittee put together and look at an advisory committee as a future agenda item.

Directors Report- Brian Bennion

Information Only

Monthly Leadership Report – March

Brian Bennion explains that there is a new section of the Monthly Leadership report that shows the health department's upcoming events. He expresses appreciation for support received from board members at Safe Kids Day held last Saturday at Newgate Mall. This week we are celebrating 10 years in our building by featuring PhotoVoice, offering free services, prizes, and receiving input from public surveys. The Mayor's Walk will be May 15th.

NALBOH/ UALBH

Conferences for NALBOH and UALBH are coming up. Pamphlets or newsletters are available if board members are interested in attending and would like more information. NALBOH will be held in Louisville, KY in August and the health department would be able to send three or four members as they did last year. Those who attended in 2014 have commented on what a great conference it was. The UALBH Symposium is at Daniel's Summit in September. Several members went last year and had reported that that it was very informative and well worth attending. Contact Brian or Kay for information. **Ken Johnson** comments that UALBH is looking for someone from our board to serve on a legislative committee who would be available for conference calls during the legislative session to hear what kind of specific items are on the agenda. The idea is to have our board understand what legislation is out there and if we should contact our legislative representatives concerning an item. Tina Kelley volunteers to serve and there is no one opposed.

IHC

IHC will meet here at the health department on May 8th for their Community Health Needs Assessment (CHNA). Some board members and staff are invited to participate to give feedback for their health assessment. There will be no May Board of Health meeting due to Memorial Day and the next meeting will be June 22nd.

Chairman's Report – Neil Garner

Neil Garner says that it is recommended to register for the Mayor's Walk and to get with him for more information if interested. He attended Safe Kids Day and thought having it at the mall was great. Booths inside and out helped spread it out, and having people who were visiting the mall stopping at booths really helped get information out. He spoke with Ogden City who went through two thousand fireman

hats, said it was well attended, and he expressed thanks to everybody who helped with the event. He reminds board members to stop downstairs, check out the PhotoVoice exhibit, and offer their feedback.

Public comment

No public comment

The meeting adjourns at 5:09 p.m. Next meeting is scheduled for June 22, 2015 at 4:00 p.m.