

**Weber-Morgan Board of Health
Minutes of Meeting
June 25, 2018**

The Weber-Morgan Board of Health held its regular meeting on June 25, 2018 in the Health Department auditorium at 477 23rd Street. The meeting was called to order at 4:03 p.m. with Neil Garner presiding.

BOARD MEMBERS PRESENT:

Neil Garner	Frank Brown	Tina Kelley	Roland Haslam
Kevin Eastman	Ali Martinez	Donna Chapman	Cole Brinkerhoff

BOARD MEMBERS ABSENT:

Ken Johnson	Jennifer Bodine	Karen Harrop
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STAFF MEMBERS PRESENT:

Brian Bennion	Brian Cowan	MaryLou Adams	Colleen Jenson
Jesse Bush	Lori Buttars	Cathy Bodily	Scott Braeden
Jarelyn Cox	Bryce Sherwood	Sherrie Waters	Kristi Jones
Lori Greene	Autum Whitten	JoAnn Wengreen	

OTHERS PRESENT:

Chris Crockett	Linnea Fletcher	Lori Brinkerhoff	Scott Jenkins
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Welcome and Introductions – Neil Garner

Neil Garner calls the meeting to order at 4:03 p.m. and welcomes those in attendance. He states that this is a historic day for the Board of Health with the new makeup and new members. He asks board members to introduce themselves. **Donna Chapman** has been the Nurse Administrator at McKay Dee Hospital for a year and will serve as the Hospital Representative. **Ali Martinez** is serving as the Midtown Representative. She is the Executive Director of Midtown Community Health Center and has been Director for 2 1/2 years and with Midtown for 17 years. **Cole Brinkerhoff** has been a pharmacist for Smith's for 25 years and will serve as the Weber At-large Business Representative. **Tina Kelley** is the Morgan County At-large Representative and has served as both Council Member and At-large Representative for the Board for over 10 years. **Neil Garner** is the Board Vice-Chair and has been a member of the Board for 9 years. He is a nurse and has worked at McKay-Dee for 39 years. He serves as the Ogden City Representative. **Dr. Frank Brown**, Weber County Medical Society Representative, has been on the Board for 25 years. He did his residency at McKay-Dee and currently has a practice at IHC. He has been on the Board for over 25 years. **Kevin Eastman** has been with Weber Human Services for 25 years. He has been the Executive Director for 10 years and has worked with the health department staff on shared programs. **Brian Bennion** has been the Health Officer for Weber-Morgan Health Department for 4 1/2 years. He says he enjoys working with Weber and Morgan counties and the wonderful staff at the health department. **Chris Crockett** has been with Weber County Attorney's office since 2014 and represents the Weber-Morgan Health Department. **Neil Garner** excuses Chair Ken Johnson, Weber State

Representative, Jennifer Bodine, who will be the At-large Environmental Representative, and Karen Harrop from the Ogden School District. He explains the rotation process for the hospital and school district representatives. A county commissioner and WACOG representative will be determined at a later date.

Approval of Board of Health Minutes of April 23, 2018 **Motion Passes**

A **MOTION** is made by **Tina Kelley** and **SECONDED** by **Frank Brown** to approve the minutes with one correction in the motion on page 2 correcting the word 'free' to 'fee'. The **MOTION** passes unanimously.

Housing Sanitation and Occupancy Regulation-Sherrie Waters **Motion Passes**

Sherrie Waters explains this regulation has not been updated since the mid 1970's and gives a summary of changes. She explains the biggest changes are the format and that the framework and authority has not changed. Additional issues have been added and updated along with new requirements. The regulation title name has been shortened as well as the regulation itself. She answers questions concerning access to property in order to make inspections and investigations and a recommendation is made for punctuation to be added in 2.20. She asks for the Board's approval to take this to public hearing. **Chris Crockett** explains the procedure to make a proposed change to a regulation. The Board recommends taking a regulation change to public hearing in order to get public comments and a hearing officer is assigned. The hearing officer reports to the Board at the next meeting and any changes may be made at that point. When approved by the Board it is put into law. A **MOTION** is made by **Tina Kelley** and **SECONDED** by **Ali Martinez** to set the public hearing for the Housing Sanitation and Occupancy Regulation for July 26th with the intent to bring comments to the August board meeting. The **MOTION** passes unanimously. A **MOTION** is made by **Frank Brown** and **SECONDED** by **Donna Chapman** to appoint Brian Cowan as the hearing officer. The **MOTION** passes unanimously.

Tobacco Sales and Permitting-Bryce Sherwood **Motion Passes**

Bryce Sherwood introduces Kristi Jones who works in the Tobacco Prevention and Control Program and oversees compliance checks. **Kristi Jones** explains that a new regulation is needed with the passing of HB 324 earlier this year. This new law changed authority of who permits and licenses tobacco retailers giving the authority to local health departments to issue permits. She goes over key points of the proposed regulation and answers questions on licensing, permits, specialty tobacco businesses, and location restrictions. HB 324 outlines how a business may be grandfathered so they are exempt from some specialty store requirements, how changes in percentages of retail space or product sales are handled, and how the description now encompasses all tobacco products, including e-cigarettes and paraphernalia, making it all inclusive. Some of the verbiage in the regulation has been taken directly from the state or federal law and cannot be modified. There is further discussion on age 19 being listed in the regulation, the process of compliance checks, and if making the regulation more restrictive is possible. **Chris Crockett** gives reference to state law and explains since it is a criminal code and

not a health code, while using the same verbiage, the health department has no authority to modify it. He offers his assistance to board members if there are any questions about the language in the state law. **Bryce Sherwood** explains that fees and fines are not listed in the regulation as they are included in the health department fee schedule which the board approves throughout the year as needed. Board members are informed that they could attend the public hearing as they are public meetings. A **MOTION** is made by **Frank Brown** and **SECONDED** by **Cole Brinkerhoff** to set the public hearing for the Tobacco Sales and Permitting for August 9th with Brian Cowan as hearing officer. Written comments are to be accepted from July 25th to August 13th at 5:00 p.m. This will be brought again to the Board in August. The **MOTION** passes 7-1 with Roland Haslam voting Nay.

Environmental Health Fees Report-Brian Cowan

Information Only

Brian Cowan explains the Board adopted an increase to certain Environmental Health fees at the April Board of Health meeting. Fees had not been reviewed for 12 years and were updated by charging a base rate of \$66 to \$85 per hour. This increased fees for restaurant inspections, swimming pools, and waste water permit fees. Through the years the funding shifted from user based fees to tax dollars and this helps shift it back. A public hearing was held June 7th with no public attending and no written comments received. The adopted fee increases are due to go into effect July 1, 2018. **Brian Bennion** explains the fund balance and the need to create a fiscal committee.

Director's Report-Brian Bennion

Information Only

Brian Bennion invites board members to the Utah Association of Local Boards of Health (UALBH) Symposium on September 7-8 in Vernal. A 'Save the Date' flyer will be sent out. New board member orientation meetings will be scheduled in July. A yearly state fiscal audit and the Minimum Performance Standards audit were held recently which went very well. The Tobacco Prevention Program is sponsoring Raptor baseball tickets for this Wednesday's game at 7:00 p.m. Booths on tobacco, teen health, and injury prevention will be set up at the game as well as children's bicycle helmets fitted and given away on first come, first served basis. Commissioner Ebert will be throwing out the first pitch.

Vice-Chair Neil Garner

Information Only

Neil Garner encourages board members to read the Monthly Leadership Report and the information board members receive before the meeting. He again states that this is a historic day with the rearranging of the makeup of the Board and expresses appreciation for their expertise and the diversity of the new members. He reassures board members that it's acceptable to bring up questions and give feedback. He expresses his love for the community and this Board of Health.

Roland Haslam introduces himself and new members introduce themselves to him.

Public Comment

There are no comments.

The meeting adjourns at 5:38 p.m. and the next meeting will be August 27th.