

Meeting Minutes from September 25, 2019

ATTENDEES

Commissioner Randy Asay, Commissioner Bart Haslem, Mr. Terry Nelson, Mr. Keith Goodspeed, Ms. Shanna Wheeler, Ms. Staci Willson, Dr. Richard Jolley, Bobbi Jo Casper (for Commissioner Greg Miles)

Director Jordan Mathis, Mr. Scott Gessell, Ms. Raima Colledge, Mr. Darrin Brown, Mr. Eric Larsen, Mr. Jake Isaacson

ABSENT

Commissioner Greg Miles

AGENDA

The meeting was called to order at 12:08 pm. Prayer was given by Dr. Jolley and Pledge was led by Ms. Casper.

Closed Session

A motion was made to enter into closed session to discuss the Opioid Litigation by Ms. Wheeler and seconded by Commissioner Haslem. Motion carried. Vote unanimous.

A motion was made to enter back into open session by Dr. Jolley and seconded by Ms. Wheeler. Motion carried. Vote unanimous.

Public Comment

None

Board Bylaws-Proposed Revisions

Director Mathis proposed changes to the TriCounty Board of Health ByLaws as directed by the board. He met with each of the commissions in regards to the following proposed revisions:

Original statement:

4.5 The chairman and vice-chairman of the board shall be selected from the current Board of Health members who are county commissioners and shall be elected by a majority vote of the members and serve a term of one year beginning January 1 and ending twelve months later on December 31. The Chairman shall preside over and conduct all meetings and act as the legal representative of all board transactions. In the absence of the Chairman, the Vice-Chairman shall perform such other duties as may be prescribed by the board.

Proposed change:

4.5 The Chairman and Vice-chairman of the board shall be selected from the current Board of Health members who are elected by a majority vote of the board members. If the elected Chairman is not a county commissioner, the Vice-chairman must be elected from the county commissioners. Chairman and Vice-Chairman shall serve a term of one year beginning January 1 and ending twelve months later on December 31. The Chairman shall preside over and conduct all meetings and act as the legal representative of all board transactions. In the absence of the Chairman, the Vice-Chairman shall perform such other duties as may be prescribed by the board.

A motion was made to approve proposed changes to 4.5 by Commissioner Haslem and seconded by Dr. Jolley. Motion carried. Majority vote except for one Nay by Mr. Goodspeed.

Original statement:

4.2 After the initial appointments, Board members shall serve for five (3) year terms. Members appointed to fill vacancies shall hold office until the expiration of the terms of their predecessors.

Proposed change:

4.2 After the initial appointments, Board members shall serve for no more than five (3) year terms. Members appointed to fill vacancies shall hold office until the expiration of the terms of their predecessors.

Mr. Nelson argued that having the opportunity to have new members could bring fresh ideas. Dr. Jolley, Mr. Goodspeed and Commissioner Haslem noted that there is not a need for term limits, because the board can vote for new members as needed.

A motion was made to remove term limits by Dr. Jolley and seconded by Mr. Goodspeed. Motion carried. Majority vote except for one Nay by Mr. Nelson.

Adding statement:

4.1.5 Three persons consisting of one (1) representative from each school district (Daggett, Duchesene, and Uintah counties) appointed by the respective school boards.

Board discussed other options including possibly adding a physician. It was determined to strike this statement and change statement 4.1 instead.

A motion was made to strike this statement by Commissioner Haslem and seconded by Dr. Jolley. Motion carried. Vote unanimous.

Original Statement:

4.1 The board shall consist of eight (8) members appointed by the governing bodies of participating counties (Daggett, Duchesne, and Uintah), on a non-partisan basis. All provisions of § 26A-1-109, relative to the composition, qualifications, appointments, and terms of appointment shall be observed in the selection of members to the district Board. The following representation will comprise the board:

Proposed Change:

4.1 The board shall consist of nine (9) members appointed by the governing bodies of participating counties (Daggett, Duchesne, and Uintah), on a non-partisan basis. All provisions of § 26A-1-109, relative to the composition, qualifications, appointments, and terms of appointment shall be observed in the selection of members to the district Board. The following representation will comprise the board:

It is vital to have an odd number of board members to maintain a fair and legal standard, especially when it comes to voting. If there is a tie on voting it leaves the director to break the tie which may not be in the best interest of the board. The board discussed many options including requiring school district participation, adding a physician, etc.

A motion was made to make a recommendation of moving to a 9 member board to the governing board and if approved make necessary changes to the interlocal agreement by Mr. Goodspeed and seconded by Dr. Jolley. Motion carried. Vote unanimous.

Commercial Water Hauling Regulation

Mr. Brown, Director of Environmental Services, presented a preliminary copy of the Drinking Water Rule for TriCounty areas. There has been a thirty day comment period for the public to submit feedback and have held public hearings in each county in the evening for public comment. We advertised for these hearings and emailed all companies involved with water hauling. No one attended any of the hearings. We did get feedback from the Division of Drinking Water and Mike Hyde from Duchesne County Planning and Zoning. Mr. Brown will meet with the County Attorney to review the rule and bring the update back to the board at a later date. In addition, Mr. Brown will reach out to the companies again to make sure they don't have any comment. The rule needs to be complete and ready to put into effect by April 1, 2020.

Proposed Changes to Department Policy 705-Dress Code, Personal Appearance and Fragrance for Employees in the Workplace

PURPOSE

*It is the policy of TriCounty Health to maintain a workplace environment that is conducive to efficiency and productivity and free from unnecessary distractions and annoyances. As part of that effort, the department generally requires employees to maintain a neat and clean appearance that is **appropriate for the work being performed**. Each employee's dress, grooming, and personal hygiene should be appropriate to the work situation.*

POLICIES AND PROCEDURES

DRESS & PERSONAL APPEARANCE

Every employee is a representative of TriCounty Health and as such are expected at all times to present a professional, business-like image to customers, and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with TriCounty Health Department. Radical departures from conventional dress or personal grooming and hygiene standards are not permitted.

General Dress Guidelines

1. *Employees are expected to dress in a manner that is normally acceptable in similar business establishments. Dress code is considered **Business Casual**.*
2. *Clothing shall be clean, well pressed, in good repair and not be torn or faded. As such, torn, frayed, distressed or faded or similar clothing is not professional.*
3. *Any attire with political or controversial messages, potentially obscene, offensive, or unprofessional language or images, language or logos promoting alcohol, tobacco, or drug products, are not allowed.*
4. *Footwear shall be clean and in good repair, provide for adequate safety, and appropriate to the division needs.*
5. *Undergarments may not be visible.*
6. *Clothing shall be appropriate to the division and reasonable accommodations may be requested through your division manager. (please see Division Specific Guidelines).*
7. **A rule of thumb – if unsure that an article of clothing is acceptable, most likely it is not. If in doubt, choose something else!**

Employees should NOT wear (except where permitted within this policy):

- **Suggestive attire**
 - Low cut shirts or midriff length shirts
 - Tight-fitting/revealing clothes
 - Short Skirts (above the knee)
- **Beach, Athletic, or Casual wear**
 - Flip-flops
 - Shorts
 - Athletic Shoes
 - Sweatshirts and Sweatpants
 - T-shirts
 - Slippers
 - Pajamas
 - Blue Denim Jeans

- Tank-tops, tube-tops, halter-tops, spaghetti straps, off-the-shoulder tops
- Torn, faded, or distressed clothing

Professional Dress Guidelines

1. Skirts and Dresses- Professional dresses and skirts (knee-length or longer) are acceptable. Mini-skirts, skorts, beach dresses, spaghetti strap or strapless dresses are inappropriate.
2. Bottoms- Business slacks, trousers, khakis, ankle or mid-calf length pants are acceptable. Blue denim jeans, low-rise pants, shorts, or athletic pants are inappropriate.
3. Tops- Professional button-down shirts, dress shirts, sweaters, polos, cardigans, and blazers are acceptable. Professional sleeveless tops can be worn if the majority of the shoulder is covered. Low-cut shirts, halter/tube tops, spaghetti strap tops, t-shirts, bare shoulder tops, midriff tops are inappropriate.
4. Footwear- Dress shoes, flats, loafers, deck-type shoes, clogs, and appropriate open-toed shoes are acceptable. Flip-flops, slippers, athletic shoes, and beach shoes are inappropriate.

Casual Friday Dress Guidelines

1. Follow General Dress Guidelines in addition:
 - a. Blue Denim Jeans/Capris are acceptable as long as they are not torn, distressed, frayed or faded.
 - b. Department sanctioned t-shirts are acceptable
 - c. Athletic Shoes are acceptable

Exceptions to the Guidelines

1. While doing specific work employees may dress in a more casual manner as approved by the manager, as long as it is **appropriate for the work being performed**.

Nurse-Specific Dress Guidelines

1. Follow General/Professional Dress Guidelines in addition:
 - a. Scrubs are acceptable
 - b. Department sanctioned t-shirts are acceptable
 - c. Athletic shoes are acceptable
 - d. NO OPEN-TOED SHOES ARE ALLOWED IN CLINICAL AREAS

Environmental Scientist-Specific Dress Guidelines

1. These guidelines are acceptable when performing outdoor inspections or working with environmental samples:
 - a. Denim Jeans are acceptable as long as they are not torn, distressed, frayed or faded.
 - b. Work shoes or boots that protect the feet are required
 - c. Personal protective clothing is required as needed

GROOMING GUIDELINES

1. Good personal hygiene, oral hygiene, and effective odor control are required.
2. Hair shall be clean, combed, and neatly trimmed or arranged. Shaggy, unkempt hair is not permissible regardless of length.
3. Hair color must conform to the general grooming guidelines and not be a radical departure from conventional professional standards.
4. Cosmetics and makeup shall be simple and appropriate.
5. Sideburns, mustaches, and beards should be neatly trimmed.
6. Fingernails are to be kept clean, neatly trimmed and of an appropriate length to perform job duties.

JEWELRY AND BODY ART GUIDELINES

1. Excessive or inappropriate jewelry or body piercings are not permitted. Jewelry or body piercings should be in good taste.
 - a. Body piercings/gauges (other than moderate piercings) should not be visible.
2. Excessive, offensive or face/neck tattoos must be covered.

FRAGRANCE GUIDELINES

1. *To ensure that TriCounty Health provides comfort and safety for our employees and visitors, reasonable accommodations for fragrance sensitivities may need to be addressed. Employees need to keep a work environment free from smoke, heavy or excessive fragrances, and/or unpleasant smells. These odors can be distracting and may trigger allergic reactions or create health problems for sensitive individuals. This policy is meant to cover noticeable odors from any source, including but not limited to; foods, lotions, perfumes/colognes, grooming products, air fresheners, candles, potpourri, etc. Division Managers and Supervisors reserve the right to address any fragrance related issues as they arise.*
2. *Any employee with concern in regards to scents/odors should contact their Division Manager/Supervisor or the Human Resource department. If a problem arises due to a disability, TriCounty Health will not discriminate against the individual because of the disability and will make reasonable accommodations unless it causes undue hardship.*
3. *Employees required by medical necessity to use medicinal lotions or skin creams that contain odors perceptible to others may request a reasonable accommodation from their Division Manager/Supervisor, manager or the Human Resource department.*

ENFORCEMENT

1. *Division Managers and Supervisors are responsible for monitoring and enforcing this policy, any violations should be addressed with the division manager and/or Human Resources.*
2. *The policy will be administered according to the following actions:*
 - a. *If an employee is found to be unprofessional in any way, the respective division manager/supervisor will hold a personal, private discussion with the employee to advise and counsel the employee regarding the nature of the violation. A verbal warning form needs to be completed by the division manager/supervisor and sent to Human Resources to be put in the employee's personnel file.*
 - b. *If an employee is found to be unprofessional in a manner that is obviously inappropriate, the division manager/supervisor will hold a personal, private discussion with the employee and ask the employee to go home and return to work in an appropriate and professional manner. The employee will not be compensated for work-missed because of failure to comply with this policy. A written warning form needs to be completed by the employee and division manager/supervisor and turned in to Human Resources to be put in the employee's personnel file.*
 - c. *Repeated policy violations will result in additional disciplinary actions, including; written warning, suspension without pay, demotion, or termination.*

A motion was made to accept the policy as written above by Dr.. Jolley and seconded by Mr. Nelson. Motion carried. Vote unanimous.

E-Cigarette Taxation & Flavoring Resolution

Director Mathis discussed the resolution for e-cigarettes taxation and flavoring controls that was announced in the UALBOH meeting in September. This resolution is still in progress and there are committees working to make sure all avenues are addressed. Director Mathis will keep the board apprised of any progress or changes. When a draft is ready Director Mathis will email all board members for electronic approval.

Minutes from July 31, 2019

A motion was made to approve the minutes from the Board of Health on July 31, 2019, by Dr. Jolley and seconded by Ms. Wheeler. Motion carried. Vote unanimous.

Public Comment

No Public Comment.

2019 Year-to-Date Financial Report

Mr. Gessell reported there are not a lot of exceptions to go over in regards to budget. Revenue is down and Expenses are up for the January to August period. The reasons for the shift can be linked to the following: there were a couple of programs that we did not get reimbursement from the state because a contract was not fully executed, there are three pay periods in August causing a fluctuation in expense, and towards the end of the year it

is typical to see a little bit of a shift as we catch up on gathering revenue. Mr. Gessell says there is no cause for concern as we will make up for these shifts with events that are coming up that will make up the difference.

2020 Calendar Year Budget Proposal

Mr. Gessell presented the proposed preliminary budget for 2020 and highlighted major changes. Mr. Gessell would recommend that the board review the proposed preliminary budget and give feedback. The board feels like the preliminary budget looks good, but Commissioner Haslem and Commissioner Asay do have some concern with wage increases due to the state of our local economies at this time. Mr. Gessell will present the revised budget proposal at the next Board of Health meeting.

Uintah County Audit 2018

Mr. Gessell discussed the Uintah County Audit for 2018. Our WIC Program is included in the audit, and there were no findings with the program. We did have two minor corrections and we have resolved them.

Motion to adjourn by Commissioner Haslem at 2:19 pm.

Next meeting will be held on Wednesday, December 4th.