BOH Members Present: President Gregg Thomas, Vice President Olga Bermudez, and Board Members Jorge DeSantiago and Morgan McMillan. Absent: Board Member Bobbie Watson.

Staff Members Present: Public Health Director Jeff Zayach, Director of Administrative Services Aaron Pratt, Director of Strategic Initiatives Susan Motika, Environmental Health Division Manager Joe Malinowski, Water Quality Program Coordinator Erin Dodge, Environmental Health Specialists Wendy Blanchard and Nickie Mercke, Assistant County Attorney Kate Burke, and Business Operations Manager Tammy Golden.

Meeting Called to Order.
President Thomas called the meeting to order at 5:35 p.m.

ITEM 1. Public Comments (on unscheduled agenda items).
None.

ITEM 2. Consent Agenda.
A. Approval of March 12, 2018, Board of Health Meeting Minutes.
Vice President Bermudez made a motion, which was seconded by Board Member DeSantiago, to approve the consent agenda, as presented. With all board members present voting in favor of the motion, President Thomas declared the motion approved. Absent: Board Member Watson.

ITEM 3. Public Hearing on Updated Onsite Wastewater Treatment System (OWTS) Regulations.
Water Quality Program Coordinator Erin Dodge introduced Environmental Health Specialists Wendy Blanchard and Nickie Mercke, who presented this item and said the purpose of the OWTS regulations was to ensure protection of water quality and public health. The current regulations were last revised and approved by the Board of Health in 2014.

State regulations were revised in June 2017, and local authorities were given until June 2018 to adopt the revisions locally. The State has made a concerted effort to make OWTS regulations more consistent across the state. Local regulations can be more stringent; however, they can’t be less stringent than state regulations.

Boulder County’s updated regulations either meet or exceed State requirements and have been reviewed by the Colorado Department of Public Health and Environment (CDPHE) and local stakeholders. A public notice for the OWTS regulations public hearing was published in compliance with State notification requirements on March 20, and the proposed regulations were available for public review online (www.SepticSmart.org) and onsite in the Environmental Health Division office.
Highlights of proposed changes to the local OWTS regulations include:
1. A higher level of training/certification required for OWTS professionals to obtain a license.
2. Property transfer rules adopted by CDPHE required updates to BCPH’s property transfer program, the most significant of which is extending how long a property transfer certificate is valid from six months (with a six-month renewal) to one year. Local requirements for non-single family dwellings (i.e. commercial) properties have also been defined.
3. Addition of renewable permits, which aren’t included in current regulations.
4. Soil type “O” has been removed and replaced with soil type “R” (i.e. R-0, R-1, R-2) in the regulations, which will allow for more design options based on percentage and size of the rock.
5. Issuance of use permits for all systems upon final installation approval. In some cases, the use permits may require renewal (e.g. commercial systems and higher-level treatment).
6. Modification of operation and maintenance (O&M) frequency for higher-level treatment systems to require two inspections during the first year of service and annual inspections thereafter for the life of the system. O&M service providers must also notify BCPH when service contracts are terminated.
7. Revised requirements for the treatment and replacement of sand media, including specifics on sand particle size and percentage.
8. Revised requirements for design documentation.

President Thomas opened the public hearing for public comment, and the following people addressed the Board:
1. Cindy Sullivan, Boulder, Colorado: Ms. Sullivan asked if there would be a use permit for existing lift stations, and Ms. Dodge said once the regulations are approved, staff will be evaluating all OWTS fees to determine if any should be revised.
2. Kevin Sullivan, Boulder, Colorado: Mr. Sullivan questioned the size and type of sand allowed. He suggested allowing C33, which is readily available in Boulder County; however, Ms. Dodge said that wouldn’t be permissible since it’s less stringent than State requirements.

Assistant County Attorney Kate Burke said if any local regulations are more stringent than State regulations, she would like an opportunity to compare them with current State requirements.

There being no further public comment, President Thomas declared the public hearing closed.

Board Member McMillan asked how many OWTS permits were issued annually. Ms. Dodge noted that local land use regulations were fairly strict, and many existing systems built in the 1970s were nearing their end of life and would need to be updated or replaced. When the local SepticSmart Program was developed in 2007-08 there were about 1,500 undocumented systems in Boulder County; that number is now closer to 1,200.

There being no further comment, Board Member McMillan made a motion, which was seconded by Board Member DeSantiago, to approve the revised Boulder County OWTS Regulations, as presented by staff. With all board members present voting in favor of the motion, President Thomas declared the motion carried. Absent: Board Member Watson.

ITEM 4. Director’s Report.
Body Art: President Thomas asked staff to define “branding” and “suspension.” Environmental Health Division Manager Joe Malinowski said “branding” and scarification was etching, burning, or cutting a design in the skin, which then leaves a scar in the pattern of the design. “Suspension” was basically the act of hanging someone from a series of hooks in the ceiling.
**Emergency Management:** Vice President Bermudez referenced the pending loss of emergency preparedness funding due to federal funding cuts. She asked staff to let the Board know if opportunities arose for the Board to help advocate for additional program funding.

**Mental Health Partners:** Board Member McMillan asked for an update on Mental Health Partners’ withdrawal management facility. The Works Program has started exploring alternatives to services currently provided at the withdrawal management facility, and Mr. Zayach said he would follow up to provide an update to the Board. He announced that MHP’s CEO and CFO recently resigned, so major changes are occurring at MHP.

**RAE:** Director of Strategic Initiatives Susan Motika and Mr. Zayach said staff recently met with representatives from the Colorado Community Health Alliance (CCHA). This is the Health First Colorado Regional Accountable Entity (RAE) that is convening the health community and coordinating physical and behavioral health services for Heath First Colorado Members in Regions 6 & 7. Region 6 includes Boulder, Broomfield, Gilpin, Clear Creek, Jefferson Counties; and Region 7 includes Park, Teller, and El Paso Counties. CCHA is working on the next phase of the Accountable Care Collaborative, which begins July 1, and met with staff to discuss community priorities.

**Opioid Legislation:** Board Member McMillan asked for an update on opioid bills being considered in the legislature. Environmental Health Division Manager Joe Malinowski said four bills were still active, and staff will provide a comprehensive opioids update at the May BOH meeting.

**Home Visitation:** Mr. Zayach said the potential to expand home visitation by early childhood providers is being explored to help connect and support clients with available services. He said clients would be able to move in and out of the system as their needs progress during childhood. He said Kaiser Permanent and Clinica were also participants in this collaborative, which will likely have a significant impact on the local safety net during the next 20 years.

**Strategic Plan:** Adoption of the strategic plan has been delayed an extra month to provide staff more time to provide feedback, which will be incorporated into the final strategic plan.

**Data Governance:** Mr. Zayach said several BCPH staff members are working with representatives from Boulder County Housing and Human Services (HHS), Community Services, Information Technology, County Attorney’s Office, and an outside consultant to develop an internal data governance structure that will meet confidentiality and privacy laws regarding the exchange of data across HHS, Community Services, and Public Health to help support residents of Boulder County.

**Health Equity Committee (HEC):** Ms. Motika said Boulder County launched the Health Equity Committee (HEC), a broad and diverse committee that features participation from all levels of county employees across division lines through a mixture of managers and non-managers, including Boulder County HR Division Director Julia Yager. The purpose of HEC is to evaluate countywide equity issues, such as recruitment, hiring, training, policies, procedures, and organizational and community engagement. The HEC will address health equity issues, examine organizational culture, and review best practices policies and implementation of respectful organizational values. By the end of the year HEC will try to identify five areas on which to focus its commitment.

**Public Health Improvement Process (PHIP):** Ms. Motika said staff is working with the jail and Mental Health Partners to discuss a behavioral health approach to enhance efforts already available. She said
the main issue is access to mental health services. Staff has conducted in-depth interviews with Mental Health Partners and seven other providers to discuss Medicaid accreditation, sliding fee scales, etc. to help address this problem. PHIP will analyze gaps; lay out information collected from the interviews; and identify the nature and magnitude of severity, desired outcomes, etc. Ms. Motika said they have a good sense of available opportunities and desired outcomes.

**Boulder Valley Unitarian Universalist Fellowship:** Ms. Motika said the fellowship has asked for agreement from BCPH on a plan to identify outcomes, objectives, and measurements that can help people in the community access needed services, such as Spanish-speaking, mental health, cultural, etc.

**Oil & Gas:** Environmental Health Division Manager Joe Malinowski and the Board discussed a report released by the Colorado School of Public Health which indicates people living near oil and gas facilities may have higher health risks, including cancer. The report found that lifetime cancer risks of people living within 500 feet of oil and gas wells were 8 times higher than the U.S. Environmental Protection Agency’s (EPA) upper level risk threshold. The study, which utilized information collected by Boulder County Public Health, found that impacted health from breathing in oil and gas fumes included health concerns that included reduced birth weight. Several board members said the report was very powerful and offered to help support efforts to address public health issues due to oil and gas production.

Assistant County Attorney Kate Burke said most of her career has been working as an attorney on oil and gas issues. She noted that Boulder County Commissioner Elise Jones regularly testifies on oil and gas issues and welcomed support from the Board of Health.

**ITEM 5. Old and New Business/Announcements.**

A. **Discussion on Tabled Consent Agenda Items (if any).**
None.

B. **Old and New Business.**
None.

C. **Announcements.**
The Board congratulated the 2018 Pinnacle Award winners, which are presented each year by the County Commissioners in recognition of employee work teams of projects and programs that exemplify the following Boulder County guiding values for the provision of excellent public service: *Inclusion, Stewardship, Service, Engagement, Sustainability, Innovation, and Resilience*; as well as Commissioners’ Choice. Forty entries were submitted this year, from which 15 finalists and 8 award winners were selected.

Boulder County Public Health teams were chosen to receive two of the eight 2018 Pinnacle Awards:
- **ENGAGEMENT Category – Lafayette’s Choice:** BCPH partnered with the Lafayette Youth Advisory Committee (LYAC) to develop “Lafayette’s Choice” to help combat childhood obesity. They support parents’ efforts of ensuring children’s health by making healthy choices the easy choices when eating out. Lafayette’s Choice also addresses equity issues since sugary drinks are disproportionately marketed to children of color and low-income communities.
- **INNOVATION Category – Voluntary Oil & Gas Inspection White Paper:** The Boulder County Voluntary Oil and Gas Inspection Program works with oil and gas operators, accessing their facilities to check for gas leaks using an infrared (IR) camera. Public Health Specialist Collin Tomb worked with CU Graduate and Oil and Gas Analyst Katie Armstrong to compile, analyze, and present inspection data since the program began. The analysis team assembled a white paper of the findings, which indicated 39-40% of all IR camera visits identified a release requiring corrective action. The white paper
was presented to the Colorado Department of Public Health and Environment (CDPHE) Air Pollution Control Division during the Regulation 7 stakeholder process. It was further analyzed to support efforts of the Local Government Coalition (i.e. Boulder County and the City & County of Denver) during the formal rulemaking before the Air Quality Control Commission (AQCC) last October. Recently, the program details were presented to the Colorado Oil and Gas Conservation Commission during a mill levy rulemaking.

ITEM 6. Adjournment.

There being nothing further to discuss, President Thomas declared the meeting adjourned at 6:49 p.m.

Gregg Thomas, President

Jeffrey J. Zayach, Public Health Director