

# OFFICIAL RECORD OF PROCEEDINGS

## **Boulder County Board of Health (BOH) Regular Meeting Boulder County Public Health (BCPH) Auditorium January 14, 2019**

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

**Staff Members Present:** Public Health Director Jeff Zayach, Director of Health Divisions Heath Harmon, Director of Strategic Initiatives Susan Motika, Family Health Division Manager Andrea Pruet, Communicable Disease & Emergency Management Division Manager Indira Gujral, Environmental Health Division Manager Joe Malinowski, Water Quality Program Coordinator Erin Dodge, Tobacco Education and Prevention Partnership (TEPP) Program Specialists Vanessa St. Clair and Brittany Carpenter, Healthy Eating and Active Living (HEAL) & Built Environment Coordinator Rachel Arndt, and Business Operations Manager Tammy Golden.

**Special Guests:** Boulder County Assistant County Attorney Kate Haywood and Boulder County Policy Analysts Mark Ruzzin, Summer Laws, and George Twigg.

### **Meeting Called to Order.**

President Thomas called the meeting to order at 5:32 p.m.

### **ITEM 1. Public Comments (on unscheduled agenda items).**

None

### **ITEM 2. Consent Agenda.**

The items on the consent agenda were:

A. *Approval of December 10, 2018, Regular Board of Health Meeting Minutes.*

B. *Approval of November 2018 Financial Statement.*

C. *Approval of Release of Declaration of Covenants for 7698 St. Vrain Road, Longmont, CO.*

The Board of Health filed a *Restrictive Covenant Agreement Running with Land* for this property on May 11, 2015, that required any new property owner to install a new onsite wastewater treatment system (“OWTS”) within 90 days of property ownership transfer from then-current owners Rex Chandler, George Chandler, and Jacquelyn McIlvaney. The Covenant also required that the OWTS be installed and approved within 30 days of permit submittal. The property transferred to James Kreitman, who subsequently met the covenant conditions between 2005 and 2010. Current owner Shadi Ramey intends to sell the property to Boulder County Parks & Open Space and filed a request for the BOH to release the covenant since all covenant requirements have been satisfied.

***Vice President Bermudez made a motion, which was seconded by Board Member McMillan, 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 DeSantiago.***

**ITEM 3. Legislative Update and Approval of 2019 Legislative Priorities.**

Environmental Health Division Manager Joe Malinowski presented this item and introduced Boulder County Policy Analysts Mark Ruzzin, George Twigg, and Summer Laws. He said staff was seeking Board of Health approval of the entire *2019 Boulder County Legislative Agenda*, which includes public health issues that staff will want to take positions on during the course of the year. Many of them impact overall health of all Coloradans, including support for substance abuse legislation and funding for the expansion of substance abuse prevention, reduction, and treatment programming and harm reduction strategies (e.g. syringe exchange, overdose prevention, Naloxone access, and effective Good Samaritan laws).

Mr. Malinowski said blanket Board of Health approval and endorsement of the *2019 Boulder County Legislative Agenda* – which includes BCPH’s “State Legislative Priorities at a Glance” – allows staff to quickly respond to any legislation issues included in the legislative agenda. That’s essential since fast action is often required when response timelines are short. Having to first seek Board of Health approval would jeopardize staff’s ability to provide timely response when legislative deadlines are tight.

Mr. Ruzzin said the Board of County Commissioners (BOCC) adopted the *2019 Boulder County Legislative Agenda* on December 6, 2018, and Mr. Malinowski said the 2019 legislative session began January 4. Mr. Ruzzin said Boulder County started adopting a legislative agenda in 2010 to outline the positions that Boulder County would take on key legislative issues. The County’s Policy Team meets regularly with staff from all Boulder County departments, including Public Health, to discuss and formulate such positions.

The legislative principles guiding the County’s positions include Environmental Sustainability, Lands & Natural Resources, Service Integration & Collaboration, and Social Justice & Equity. Staff highlighted the following issues included in this year’s legislative agenda:

- *Climate Action*: Greenhouse gas (GHG) emissions inventory and forecast legislation; statutory codification of statewide emission reduction goals; replacement of fossil fuel-based electricity generation facilities with clean energy supplies.
- *Oil & Gas*: Expansion of local authority to regulate and reform Colorado Oil & Gas Conservation Commission (COGCC) to protect public health, safety, and the environment; increase severance taxes and reduce industry exemptions; reform wellhead valuation practices; reform forced pooling practices.
- *Housing, Health, & Human Services*: Increasing amount of and access to affordable housing; providing affordable health care coverage across Colorado; supporting harm reduction legislation and criminal justice reforms to address substance abuse; expanding access to services for mental health and substance abuse prevention, and improving child welfare for children and families.

State budget priorities include: 1) increasing funding to the Colorado Housing Trust Fund to provide an ongoing, sustainable source of state funding for permanently affordable housing; 2) supporting increased funding by Medicaid of proven substance abuse and mental health services; 3) supporting increased funding for the Child Care Assistance Program to provide safe, quality child care options for families working towards self-sufficiency; 4) supporting efforts to strengthen state and local government resiliency and build capacity to prepare for and respond to disasters and climate change, including sustained funding for the Colorado Resiliency Office.

Mr. Malinowski asked the Board to also approve the 2019 Colorado Association of Local Public Health Officials (CALPHO) legislative priorities, which include:

- *Local Public Health Structure*: Supporting funding, personnel, data systems, and other county- and local public health agency (LPHA)-based systems.

- *Local Public Health Authority:* Retention of or increased appropriate authority for LPHAs to ensure health and safety of communities, and to properly track, prevent, and manage disease and illness within communities.
- *Local Public Health Funding:* Supporting funding provided to LPHA for the provision of core public health services, including flexibility regarding use of the funding.
- *Local Partnership and Connection:* Supporting regional approaches and shared services across LPHA that include community-level partnerships.
- *State Public Health Structure:* Supporting enhanced and increased funding for Colorado Department of Public Health and Environment (CDPHE).
- *Behavioral Health and Substance Use:* Supporting increased access to behavioral health services and prevention activities, such as mental health and substance use treatment; marijuana and electronic smoking device access; and reduction of tobacco and nicotine, particularly by youth.
- *Health and Environmental Equity and Social Determinants of Health:* Supporting increased health and environmental equity for state residents and collaborative efforts that positively affect social determinants of health (e.g. housing, education, and employment).
- *Prevention and Health Promotion:* Supporting evidence-based strategies and programs that prevent poor health outcomes and promote individual, population, and environmental health.
- *Affordable Care Act:* Supporting maintenance of access to health care services and coverage for all Coloradans.
- *Environmental Health:* Supporting policies and funding that advance environmental health programs, strategies, and initiatives and provide a healthful environment for everyone.
- *Climate Impact:* Supporting evidence-based efforts that develop and sustain healthy, climate-resilient communities and protect natural resources and ecosystems to prevent poor health outcomes.

Director of Strategic Initiatives Susan Motika outlined the legislative issues BCPH will advocate for in 2019, that will include testimony from several BCPH subject matter experts to support development of legislation at the state level. The following BCPH subject matter experts gave updates to the Board:

- *Family Leave Act:* Family Health Division Manager Andrea Pruett said paid family leave was one of the priorities of Governor Jared Polis. She said there are also efforts to provide a greater proportion of leave for low wage owners (up to 12 weeks of leave). Ms. Pruett said this was a clear public health benefit supported by several hospitals. Board Member McMillan said some chambers of commerce and others have voiced concern about lack of alignment between Colorado and federal programs, which could be an issue for some businesses. Ms. Pruett said staff has started conversations with the Longmont and Boulder Chambers of Commerce regarding this issue.
- *Mobile Home Parks:* Healthy Eating and Active Living (HEAL) & Built Environment Coordinator Rachel Arndt and Boulder County Policy Analyst Summer Laws said staff has kept the Board of Health apprised of challenges local mobile home park residents have experienced and efforts to address the challenges. The City of Boulder has adopted stricter enforcement mechanisms and is working with Boulder County and the CU Law Department to share resources and information with other jurisdictions that would like to help mobile home park residents in their communities.
- *Tobacco:* Tobacco Education and Prevention Partnership (TEPP) Program Specialists Vanessa St. Clair and Brittany Carpenter said they're working to support quitters and address tobacco health disparities, vaping, and youth access. It's concerning that Colorado high school youth use electronic vaping products at twice the national average, and many don't consider vaping as being harmful to their health; however, vaping harms developing brains, and use by youth increases the odds that they'll try other tobacco products or deal with tobacco addiction later in life. Ideas being considered by the legislature include rising the purchase age from 18 to 21 years, licensing retailers, and increasing education.

- *Food Safety:* Mr. Malinowski said there were efforts to expand cottage foods (e.g. food that doesn't require refrigeration, such as jams/jellies, spices, pickled/canned foods, baked goods, etc.), and raw milk; considerations include allowing the sales of such items at farmers markets.
- *Substance Abuse:* Communicable Disease/Emergency Management Division Manager Indira Gujral said opioids are a major concern across the nation. Representative Jonathan Singer has been actively working to address opioids in Colorado and has attended some of the local Opioid Advisory Group (OAG) meetings. Proposals are being considered to expand medically assisted treatment in rural counties and jails and continuity of care.
- *Immunizations:* Ms. Gujral said the Colorado Children's Immunization Coalition met last fall. Community immunity supporters attended and provided feedback on increased funding for school nurses and immunization structures, which are currently underfunded. They also advocated for a stricter exemption process and immunization requirement for preschool teachers and K-12 teachers. Another autism bill may also be considered.
- *Firearm Safety:* Ms. Motika said proposals have been submitted regarding firearms safety, including addressing people who are mentally disturbed, public safety, and bridging public health and public safety on firearm safety. A recent poll of 600 Colorado voters showed strong support for such a bill; similar bills have already been adopted in 13 other states.
- *Mental Health:* Ms. Motika said mental health is a serious concern, and more information will be distributed on this issue later in the year.

Boulder County and BCPH work with a number of advocacy partners on legislative issues that include the Colorado Human Services Directors Association (CHSDA), Colorado Communities for Climate Action (CC4CA), Colorado Association of Local Public Health Officials (CALPHO), and Counties & Commissioners Acting Together (CCAT).

Boulder County is also well-represented, as there are eight Boulder County state legislators: Senators Tammy Story, Mike Foote, and Stephen Fenberg, as well as Representatives Edie Hooten, Jonathan Singer, Sonya Jaquez-Lewis (a former Boulder County Board of Health member), KC Becker, and Matt Gray.

***Board Member McMillan made a motion, which was seconded by Vice President Bermudez, to adopt the 2019 Boulder County Legislative Agenda and 2019 CALPHO Legislative Priorities, as presented. With all Board Members present voting in favor of the motion, President Thomas declared the motion approved. Absent: Board Member DeSantiago.***

Mr. Zayach recognized Mr. Malinowski for his leadership on public health policies. He also introduced Assistant County Attorney Kate Haywood, who provides legal counsel for BCPH.

#### **ITEM 4. Director's Report.**

**Government Shutdown:** Vice President Bermudez asked if the current federal governmental shutdown was having an impact on the provision of BCPH services. Public Health Director Zayach said the BCPH program receiving its funding from the federal government was the Women, Infants, and Children (WIC) Program, and WIC funding was extended through February. If the shutdown affected WIC staff beyond January, BCPH would've funded their salaries. Another federal program that would be impacted by an extended shutdown was the Supplemental Nutrition Assistance Program (SNAP). Staff will continue monitoring the situation to prepare for any issues stemming from the loss of federal funding or services.

**Health Equity:** Director of Strategic Initiatives Susan Motika said a new section will be added to the director's report to provide updates on agency priorities. Board Member McMillan applauded BCPH for its

focus and work on health equity and encouraged the department to collaborate with other Boulder County departments so they will also have the same perspective on health equity and disparities.

**BOH Vacancy:** Public Health Director Zayach said the County Commissioners have accepted applications for the current board vacancy and will soon appoint a replacement for former Board of Health Member Bobbie Watson, who resigned last November.

**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.**

- President Thomas announced that the City and County of Denver recently received funding to address climate change work.
- Mr. Malinowski announced that BCPH Oil and Gas Specialist Patrick Murphy was honored by the County Commissioners as the January Employee-of-the-Month.

**ITEM 6. Adjournment.**

There being nothing further to discuss, President Thomas declared the meeting adjourned at 7:10 p.m.

  
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Gregg Thomas, President

  
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Jeffrey J. Zayach, Public Health Director