

OFFICIAL RECORD OF PROCEEDINGS

Boulder County Board of Health (BOH) Regular Meeting Online/Telephonic Meeting September 14, 2020

BOH Members: President Gregg Thomas and Board Members Morgan McMillan; Landrey Fagan, M.D.; and Brooke Harrison. Absent: Vice President Jorge DeSantiago.

BCPH Staff: Public Health Director Jeff Zayach; Deputy Public Health Director Lexi Nolan, Ph.D.; Director of Strategic Initiatives Susan Motika; Director of Finance and Administration Megan Hatten; Environmental Health Division Manager Joe Malinowski; Health Equity Coordinator Sheila Davis, M.D. (in at 5:55 p.m.); Healthy Eating and Active Living Program Coordinator Rachel Arndt; Water Quality Program Coordinator Erin Dodge (in at 5:50 p.m.); Consumer Protection Program Coordinator Lane Drager; Administrative Assistant Rita Mangeyn; and Business Operations Manager Tammy Golden.

Meeting Called to Order.

President Thomas called the meeting to order at 5:32 p.m. and asked all participants to identify themselves for the record (see above). He declared that a quorum was present, that notice of the meeting was posted on the Board of Health website, and that call-in information was included to allow for public participation. Due to COVID-19, the need for social distancing, and the current public health order, President Thomas said the meeting was being conducted online and telephonically.

Introductions.

Public Health Director Zayach introduced new Deputy Public Health Director Lexi Nolan, who said she is from Texas and has a background in policy work, equity, and social determinants of health. The Board welcomed Dr. Nolan.

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

Board Member Fagan said Sports Table contacted her to ask for an evaluation of its space in order to increase fan capacity in the stands. Consumer Protection Program Coordinator Lane Drager, who is also serving as a COVID-19 liaison with the local business community, said he would be happy to contact Sports Table. Mr. Drager said Boulder County likely would be unable to relax social distancing requirements if Sports Table's request was less stringent than current limits set by the State of Colorado.

ITEM 2. Approval of August 10, 2020, Regular Meeting Minutes.

Board Member McMillan made a motion, which was seconded by Board Member Harrison, to approve the August 10, 2020, Board of Health minutes, as presented. With all members present voting in favor of the motion, President Thomas declared the motion carried. Absent: Vice President DeSantiago.

ITEM 4. Discussion on Proposed Revisions to Body Art Regulations.

Consumer Protection Coordinator Lane Drager said staff has revised the local body art regulations to better align with the new national body art code. He said the proposed revisions were shared with local body artists and posted on the Body Art Program's website. He requested that a public hearing be scheduled to consider the proposed regulations at the October 12 Board of Health meeting.

Board Member McMillan made a motion, which was seconded by Board Member Harrison, to schedule a public hearing on the proposed body art regulations for the October 12 Board of Health meeting. With all members present voting in favor of the motion, President Thomas declared the motion carried. Absent: Vice President DeSantiago.

ITEM 5. Resolution 2020-03, Approving BCPH 2021 Recommended Budget.

Director of Finance and Administration Megan Hatten presented this item and said staff presented the 2021 Recommended Budget to the Board at the August 10 budget study session. She noted that staff will request Board approval of additional changes in December when more complete 2020 financial information is available and again in early 2021 after Boulder County has finalized its budget.

In addition to the 2021 Recommended Budget, staff requested authorization to submit 2021 Sustainability Tax funding requests in the amount of \$561,104 to fund personnel in the Water Quality and HEAL (Healthy Eating and Active Living) Programs, as well as additional volatile organic compound (VOC) sampling in the Air Quality Program and healthy food incentives in HEAL.

Board Member McMillan made a motion, which was seconded by Board Member Harrison, to adopt Resolution 2020-03, approving BCPH's 2021 Recommended Budget in the amount of \$18,249,432. Board Member McMillan then revised her motion, which was accepted by Board Member Harrison, to include approval of the Sustainability Tax funding request, as outlined above. With all members present voting in favor of the revised motion, President Thomas declared the motion carried. Absent: Vice President DeSantiago.

ITEM 3. Public Hearing on Resolution 2020-02, Adopting Revised Onsite Wastewater Treatment System (OTWS) Fees.

Water Quality Program Coordinator Erin Dodge presented recommendations for increased onsite wastewater treatment system (OWTS) fees for Boulder County. The Colorado Revised Statutes were amended to remove the \$1,000 cap on permit fees, and a subsequent review of staff time spent on OWTS permits revealed that some Boulder County OWTS fees should be adjusted to more accurately recover program costs directly applicable to the issuance of OWTS permits in Boulder County.

The proposed OWTS fee schedule was determined through database tracking of staff hours spent on each permit type, as well as other direct OWTS activities from 2016-2020. The proposed fee changes will impact new and major repair construction permits, as well as the charged hourly rate. The proposed fees represent about 76% cost recovery for staff allocated to the OWTS Program. There is a \$23 surcharge that is assessed by the State of Colorado on all new and repair (including upgrade) permits, of which \$3 may be retained by the local jurisdiction to help cover administrative costs.

President Thomas opened the public hearing and asked if anyone wished to comment. There being none, he closed the public hearing.

Board Member McMillan made a motion, which was seconded by Board Member Fagan, to approve Resolution 2020-02, adopting the revised onsite wastewater treatment system (OWTS) fees for Boulder County. With all members present voting in favor of the motion, President Thomas declared the motion carried. Absent: Vice President DeSantiago.

ITEM 6. Update on Current COVID-19 Pandemic.

Public Health Director Jeff Zayach asked Healthy Eating and Active Living Program Coordinator Rachel Arndt, who was serving as a COVID-19 liaison to the University of Colorado at Boulder (CU), to provide an update on the recent surge of COVID-19 cases at CU.

Ms. Arndt said CU has been experiencing a significant increase in the number of COVID-19 cases since the September began (currently more than 454 cases in Boulder County; more than 90 cases were reported on September 11). Board Member McMillan said the number of cases reported was confusing since CU was reporting different numbers than BCPH. Ms. Arndt explained that CU had been reporting its COVID-19 cases on the university's dashboard before the cases were officially added to the State's database (where BCPH receives its numbers), so CU has been asked to stop to eliminate confusion.

Ms. Arndt said BCPH was working with the City of Boulder and CU in partnership with the Colorado Department of Public Health and Environment (CDPHE) to form prevention, containment, and enforcement strategies to deal with the increase in COVID-19 cases and to offer COVID-19 testing for CU students and community members, both on campus and off campus.

Ms. Arndt said the challenge will be to identify sources of COVID-19 infection at CU, although the thought was that student gatherings and parties were the main source of infection. She said another challenge was that test results for out-of-state students were being sent to the students' home states and not always shared with CU's Wardenburg Health Center. She said CU was working on requirements for all CU student test results to be shared with the university.

Another issue facing CU was that some Greek housing chapters were recommending that any residents testing positive for COVID-19 should isolate outside of the Greek houses, which does not comply with the local public health order. CU and BCPH were working with the State Attorney General's Office to let the national Greek chapters know their residents should be isolating in their local housing chapters to avoid violating the local stay-at-home public health order. Staff is also working with CU to develop a data-sharing agreement for identifying student addresses while protecting student confidentiality. Ms. Arndt said CDPHE has supported the creation of a matrix specific to CU for compliance with the State's Stay-at-Home, Safer-at-Home, and Protect Your Neighbor levels.

Public Health Director Jeff Zayach said the influx of cases at CU significantly raised the number of COVID-19 cases for Boulder County, and most CU outbreaks were off campus. He said CU was conducting wastewater testing in its dorms that indicate there may be additional positive cases. He said this sentinel testing has been very informative. He also noted that the number of COVID-19 cases in Boulder County was currently the highest count in the entire Metro Denver Area.

Mr. Zayach said the 5-day case count for new cases was more than 60, more than double the previous high count of around 30 that occurred in June. With the amount of work that CU, the City of Boulder, and BCPH did in preparation for students returning to campus, Mr. Zayach said they did not expect the high case count early in September, which clearly indicated that adjustments were needed.

Mr. Zayach said the number of hospitalizations has remained stable. Although most of the county's case counts were in the 17-to-29-year age group, there are less hospitalizations in that age group. He said the hospitalization rate per 100,000 was currently 61.6 for Boulder County, 125.4 for the state of Colorado, and 166.9 for the U.S.

Mr. Zayach said the targeted five-day rolling average percentage of COVID-19 positivity was under 5%. The current percentage was less than 4%, but it was also roughly 1% higher than the previous week and continuing to rise.

Staff closed their presentation by outlining the following key points:

- The current outbreak at CU was the main challenge, with CU cases accounting for 70-90% of all local cases.

- K-12 and private schools were concerned about the impact to them; some hoped to move to hybrid (i.e. part in-person and part at-home learning) at the end of September.
- BCPH continues to work closely with CDPHE, CU, and City of Boulder on prevention, containment, and enforcement work, which may include a quarantine or public health order for CU students.
- Strong cooperation from the City of Boulder will be needed for off-campus enforcement.
- CU was updating its code of conduct to add sanctions for violation of public health orders.
- Some students were hesitant to share their contacts (e.g. friends, housemates) with authorities, making it challenging and a legitimate concern for COVID-19 case investigators.
- COVID-19 symptoms aren't as serious for younger people, so many students infected with COVID-19 don't realize they're infectious and think they have allergies or a bad cold. Roughly 7-8% of CU COVID-19 positives have been asymptomatic.
- There will be on-campus space available for student isolation, but there won't be as many isolation resources available for off-campus students.
- BCPH continues to meet weekly with the local hospitals. Currently the average time for hospitalization after symptoms is about 14 days.

ITEM 7. Director's Report.

Food Safety Inspections: President Thomas wondered why the State of Colorado was asking why the Consumer Protection Program wasn't conducting as many food safety inspections. President Thomas said it was clear that many of these staff members have been redeployed to assist with COVID-19 response.

Health Planning & Evaluation (HPE): Director of Strategic Initiatives Susan Motika acknowledged the amount of persistent and thoughtful work being provided by the HPE team, which has worked diligently to meet demands for COVID-19 data. She said the team strives to include aspects of equity in the data to determine how the pandemic was affecting more vulnerable populations.

Public Health Director Zayach said staff was collaborating with the County Commissioners to draft a joint resolution on structural racism, which he hoped to present to the Board in the next few months.

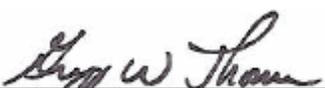
Staff Appreciation: Board Member McMillan voiced her support and appreciation to staff for the tremendous amount of work they've been providing month after month since COVID-19 began impacting the community.

ITEM 8. Old & New Business / Announcements.

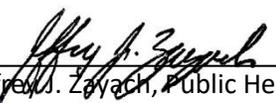
None.

ITEM 9. Adjournment.

There being nothing further to discuss, President Thomas declared the meeting adjourned at 6:53 p.m.



Gregg Thomas, President



Jeffrey J. Zayach, Public Health Director