

# OFFICIAL RECORD OF PROCEEDINGS

**Boulder County Board of Health (BOH) Special Meeting**  
**Online/Telephonic Meeting**  
**October 7, 2020**

**BOH Members:** President Gregg Thomas; Vice President Jorge DeSantiago; and Board Members Morgan McMillan; Landrey Fagan; and Brooke Harrison.

**Staff:** Public Health Director Jeff Zayach; Deputy Public Health Director Lexi Nolan; Director of Strategic Initiatives Susan Motika; Director of Administration and Finance Megan Hatten; Communicable Disease and Emergency Management Division Manager Indira Gujral; Assistant County Attorneys Kate Haywood and Trina Ruhland; Medical Officer Chris Urbina, M.D.; Marketing & Communications Manager Chana Goussetis; Boulder County Public Information Officer Barb Halpin; and Administrative Assistant Rita Mangeyn.

**Guest:** University of Colorado Interim Executive Vice Chancellor and Chief Operating Officer Patrick O'Rourke.

## **Meeting Called to Order.**

President Thomas called the meeting to order at 1:00 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 included call-in information 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.

**ITEM 1. Consideration of Public Health Order No. 2020-08, Limiting Gatherings Involving Persons Aged Between 18 and 22 Years in the City of Boulder.**

**AND**

**ITEM 2. Consideration of Public Health Order No. 2020-09 for Collegiate Group Homes in the City of Boulder.**

Public Health Director Jeff Zayach said because Boulder County Public Health Order No. 2020-07 was set to expire on October 8, 2020, this meeting was called to:

- Consider the latest COVID-19 data.
- Review Appendix C of Boulder County's COVID-19 mitigation plan, which was recently approved by the Colorado Department of Health and Environment (CDPHE).
- Present two new public health orders: *2020-08, Prohibiting Gatherings Involving Persons Aged 18-22 Years in the City of Boulder and Stay-at-Home for Subject Properties*; and *2020-09, Collegiate Group Homes in the City of Boulder*.

Mr. Zayach said the community must diligently adhere to public health measures to help control the spread of COVID-19 in Boulder County, especially as colder weather arrives. He expressed his appreciation to the University of Colorado (CU), City of Boulder, and Boulder County for their collaboration and support in addressing a recent surge of COVID-19 cases associated with CU. He said the sharp rise in cases identified in people between the ages of 18-22 years in the city of Boulder necessitated public health orders that significantly limited activities and gatherings for people in that age group in Boulder. He said adherence to the orders significantly reduced the number of cases associated with CU.

Mr. Zayach presented data and said Boulder County's current case count stood at 4,658 cases and 80 deaths, with no deaths associated with the recent surge at CU. He also said the spread of COVID-19 among other age groups throughout Colorado was rising, although cases at CU continued to steadily decline. Goals moving forward were continued decrease in case rates and maintaining lower case numbers at CU, which will be important because mitigation of the recent CU surge was very resource-intensive and taxing on the local public health system. BCPH collaborated with CU and the City of Boulder to develop and present a mitigation plan to CDPHE outlining strategies for moving forward while maintaining a baseline level of cases at CU. Mr. Zayach expressed his appreciation to CU students, who adhered to public health orders to successfully reduce the number of COVID-19 cases associated with the university.

Mr. Zayach stressed the importance of continuing to lower case counts to allow increased movement and fewer restrictions, as defined in CDPHE's "COVID-19 Dial." The dial determines allowed activities and corresponding restrictions for all Colorado counties based on local levels of COVID-19 activity. He said Boulder County Public Health (BCPH) will request Board authorization to lift public health order restrictions and amend public health orders without board approval as levels of COVID-19 activity wane.

Deputy Public Health Director Lexi Nolen said the goal of the mitigation plan was to maintain lower COVID-19 numbers and broader containment of the virus in Boulder County. The mitigation plan for the surge at CU included two key public health order amendments to limit gatherings and provide guidance for collegiate group homes. It included guidance for CU athletics, events, and service of alcohol and outlined four guiding principles with commitment from BCPH, the City of Boulder, and CU: 1) continued collaboration; 2) preference for a stepdown approach versus sudden restriction removals; 3) use of more focused and tailored measures based on emerging science and data; and 4) development of a strategy for proactively engaging with students and the community on prevention and containment work while giving students clear roles and incentives to achieve the goals. She said the team developed a "mini dial" specific to CU students to help them gradually move through the varying levels of testing, incidence of cases, and positivity rates. Continuing to engage the students will help to ensure their awareness of expectations so restrictions can be relaxed and student gatherings and participation in CU-sponsored events can resume. The three key metrics will be testing rates, positive cases, and positivity rates for the 18-22 years age group.

The dashboard will be updated frequently to provide awareness. Staff is also working to determine the safe return of CU Athletics, which will include measures like regular testing of athletes and coaches, the possible creation of a "bubble," and ongoing education and tracking of enforcement and compliance.

Regulating the service of alcohol and collegiate group housing will be required. Staff said group housing facilities that were initially required to adhere to stricter stay-at-home requirements due to public health order violations will be released from the restrictions if no additional violations occurred during the past two weeks. The remaining group houses will need to submit plans identifying how they intend to prevent and control infection, comply with testing, cooperate with contract tracers, and limit visitors. Once they meet those requirements they will also be released from the stay-at-home restrictions.

Operations was the final piece of the mitigation maintenance plan and includes how the Incident Command Structure (ICS) will move into a less formal structure while maintaining collaboration, testing, data surveillance, containment, enforcement, public messaging, and education.

Deputy County Attorney Trina Ruhland outlined Public Health Order 2020-08, which limits gatherings of people between the ages of 18-22 years in the city of Boulder. She said the goal of this order will be to implement a stepdown approach to result in fewer restrictions once metrics support looser requirements. She said the metrics are evaluated for baseline through Levels A-D. The current level was Level C,

and the next evaluation will be conducted on October 13 to potentially allow movement to the next lower level and fewer restrictions. BCPH will continue evaluating metrics to determine potential movement to lower levels with fewer restrictions based on 14-day case rates per 100,000 and positivity rates. Board Member McMillan asked if, under Level C, a 22-year-old could dine with a 23-year-old and was told only people between the ages of 18-22 years had to comply with the stricter gathering limits.

Board Member Harrison asked if group homes under the stay-at-home order (Public Health Order No. 2020-07) could immediately return to Level C or had to wait until the next evaluation was conducted on October 13. Deputy County Attorney Kate Haywood said Public Health Order No. 2020-09 addressed collegiate group homes in Boulder and included a public health framework for off-campus group homes where five or more higher education students resided in home settings that are owned by third parties. She said facility assessments would be required for such homes.

Public Health Order 2020-07 was set to expire at noon on October 8, so residents in properties under the current stay-at-home restrictions would have to stay at home until they submitted public health improvement assessments or October 12, whichever date is later. Board Member McMillan asked if the group homes were being supported to help meet requirements and set them up for success. She was told support was available for anyone needing it.

CU Interim Executive Vice Chancellor and Chief Operating Officer Patrick O'Rourke thanked BCPH for the support the agency provided to CU. He expressed his appreciation for BCPH's efforts to empower students so they could be part of the solution in adhering to public health orders (PHO). He said the proposed PHO modifications provided a reasonable and thoughtful approach.

Board Member Harrison asked for an update on testing the past two weeks. Mr. O'Rourke said some testing decreased because students left Boulder to return home or elsewhere. CU would maintain testing protocols on a weekly basis for students remaining on campus. The change in student behavior was responsible for the decrease in cases, as was reported by multiple surveillance factors that included Boulder and CU police patrolling the campus and nearby Hill neighborhood. CU also tracked referrals for consideration of disciplinary action.

Board Member McMillan asked about the case rate among community members outside the age group of 18-22 years and was told there wasn't specific data on that. But over 200 investigations were ongoing, and it appeared that trends for the various age groups were consistent with statewide and metro area data.

Board Member McMillan asked if free community testing would continue. She was told it would continue through at least October 18 and possibly longer pending continued support from CDPHE. She said there was some community perception that PHO restrictions placed on students were a punishment for them, so she was pleased to hear students were partnered with to lower COVID-19 infections associated with CU, and feedback from student leaders was solicited to help draft the PHO.

Mr. O'Rourke said the mental health of students was a critical factor, and there's been increased demand for mental health support because students were experiencing more stress due to lack of social interaction. He said CU was supporting its students as much as possible. Ms. Ruhland said a stepdown approach was included in the PHO that allowed for the easing of restrictions as metrics were met so students could resume social activities.

Board Member Harrison asked where in-person classes stood on the State's COVID-19 Dial. Ms. Ruhland said that wasn't directly connected to the metrics since classroom spread of COVID-19 wasn't a major

issue; however, CU and BCPH will continue discussing a hybrid model that included both remote and in-person classes.

Communicable Disease and Emergency Management Division Manager Indira Gujral said outreach around isolation and quarantine was conducted before the PHO were implemented and included a webinar that explained isolation procedures. Dr. Gujral said BCPH epidemiology staff worked with collegiate group homes to help them develop their infection control plans. She also noted the importance of building on those experiences to help set students up for success. Strong collaboration will include accountability measures, such as active testing, contact tracing, and case investigations to help prevent another surge.

Mr. Zayach said a significant level of messaging was shared with students. BCPH Marketing & Communications Manager Chana Goussetis said CU and the City of Boulder developed restorative justice sessions with community members and BCPH on the impacts of COVID-19, and her team was ready to launch a campaign on social supports and mental health.

Board Member McMillan asked if metrics would be evaluated on a weekly basis to allow movement between PHO levels. Mr. Zayach said updates occurred frequently, but he didn't have a set timeline for providing updates.

The following members from the public addressed the Board:

- 1) **John Halpern**, who asked for clarification of off-campus testing and the plan to monitor COVID-19 cases for off-campus students. He was told the current testing capacity was 600 tests per day, and testing was voluntary. Collegiate group home residents were required to conduct weekly surveillance testing as part of mandatory assessment processes that were outlined in the PHO.
- 2) **Andrew Schwartz**, who identified himself as a CU student, asked if there were plans to outline the different scenarios of student gatherings, which he said were confusing. Ms. Ruhland said the restrictions only impacted gatherings of two or more people in the city of Boulder who were 18-22 years. She said additional guidance was available online.

***Board Member Harrison made a motion, which was seconded by Board Member Fagan, to approve Boulder County Public Health Public Health Order No. 2020-08, limiting gatherings involving persons between the ages of 18-22 years in the city of Boulder. With all Board Members voting in favor of the motion, President Thomas declared the motion carried.***

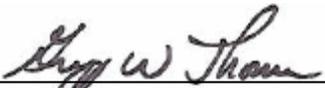
***Board Member Harrison then made a motion, which was seconded by Vice President DeSantiago, to approve Boulder County Public Health Public Health Order No. 2020-09 regarding collegiate group homes located in the city of Boulder. With all Board Members voting in favor of the motion, President Thomas declared the motion carried.***

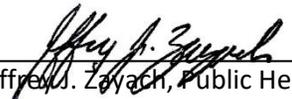
***Board Member McMillan made a motion, which was seconded by Board Member Fagan, to authorize BCPH to amend Public Health Orders 2020-08 and 2020-09, as necessary to allow movement between PHO levels and to evaluate the PHO structure at the December 14, 2020, Boulder County Board of Health meeting. With all members voting in favor of the motion, President Thomas declared the motion carried.***

Mr. Zayach thanked the Board, as well as staff, who worked tirelessly to address the surge at CU. He expressed gratitude to the City of Boulder, CU, Boulder County, and BCPH, as well as CU students for helping to reduce the number of COVID-19 cases in Boulder County. President Thomas thanked everyone for attending and encouraged them to follow the students' lead to help ensure a safe fall season.

**ITEM 7. Adjournment.**

There being nothing further to discuss, President Thomas declared the meeting adjourned at 2:26 p.m.

  
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Gregg Thomas, President

  
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Jeffrey J. Zyzanski, Public Health Director