

# OFFICIAL RECORD OF PROCEEDINGS

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

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

**BCPH Staff:** Public Health Director Jeff Zayach; Deputy Public Health Director Lexi Nolan; Director of Finance and Administration Megan Hatten; Deputy County Attorney Trina Ruhland; Senior Assistant County Attorney Kate Haywood; Communicable Disease & Emergency Management Division Manager Indira Gujral; Environmental Health Division Manager Joe Malinowski; Community Health Division Manager Nadine Bridges; Interim Emergency Management Coordinator Chris Campbell; Health Equity Coordinator Sheila Davis; Health Planning & Evaluation Manager Kelli Hintch; Open & Affirming Sexual Orientation and gender identity Support (OASOS) Coordinator Heather Crate; Contracts, Purchasing, and Budget Manager Maryel Barron; Administrative Assistant Rita Mangeyn; and Business Operations Manager Tammy Golden.

**Special Guests:** University of Colorado Interim Executive Vice Chancellor and Chief Operating Officer Patrick O'Rourke and Boulder County Chief Financial Officer Ramona Farineau.

## **Meeting Called to Order.**

President Thomas called the meeting to order at 5:31 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.

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

**ITEM 2. Consent Agenda:**  
A. **Approval of November 9, 2020, Regular Meeting Minutes.**  
B. **Approval of November 12, 2020, Special Meeting Minutes.**  
C. **Approval of Year-to-Date Financial Statement.**

***Board Member McMillan made a motion, which was seconded by Board Member Fagan, to approve the consent agenda, as presented. With all members voting in favor of the motion, President Thomas declared the motion carried.***

**ITEM 3. Update on Current COVID-19 Pandemic:**  
A. **Update on Public Health Order 2020-08-1, Set to Expire December 15, 2020, Which Limits Gatherings Involving Persons Aged Between 18-22 Years in the City of Boulder**  
B. **Amendment and Extension of Public Health Order 2020-10, Set to Expire December 14, 2020, Which Limits Indoor Event Capacity to 25 Persons, Limits Indoor Dining to One Household, Prohibits Spectators at Sporting Events, and Strongly Recommends All Businesses in Boulder County Allow Their Employees to Work from Home to the Greatest Extent Possible.**

**C. Update on COVID-19 Vaccine Distribution Plan.****D. Update on Latest COVID-19 Trends.****A. Update on Public Health Order 2020-08-1, Set to Expire December 15, 2020, Which Limits Gatherings Involving Persons Aged Between 18-22 Years in the City of Boulder.**

Deputy County Attorney Trina Ruhland said staff did not recommend extending Public Health Order (PHO) 2020-08-1 beyond the set expiration date of December 15, 2020. The Order was initially adopted to address the surge in COVID-19 activity associated with the University of Colorado (CU) in the fall and restricted gatherings of people 18-22 years in the city of Boulder. After Boulder County adopted PHO 2020-08-1, the State of Colorado added some of the same restrictions to the Colorado COVID-19 Dial, thereby making PHO 2020-08 unnecessary.

University of Colorado Interim Executive Vice Chancellor and Chief Operating Officer Patrick O'Rourke said CU will begin the spring semester with remote rather than in-classroom learning. He said CU will continue to support the students remaining in Boulder. He also said COVID-19 testing has been extended for family members of CU faculty and staff. Mr. O'Rourke said CU was in a good place and fully supported letting PHO 2020-08-1 expire. He said CU was committed to following public health orders, and letting PHO 2020-08-1 expire would help to minimize confusion, as people in the 18-22 age group weren't at any higher risk of transmission than the other age groups.

Public Health Director Jeff Zayach thanked the County Attorney's Office and CU for their partnership and close working relationship, saying Boulder County Public Health (BCPH) would not be able to accomplish its successes without their support.

Board Member Fagan asked staff to schedule another update after CU students return for the spring semester.

Mr. O'Rourke thanked the Board and said he appreciated the extraordinary partnership that CU had with BCPH. He said other higher education institutions have asked CU for guidance on how to develop similar partnerships with their own local public health agencies.

***Board Member McMillan made a motion, which was seconded by Board Member Harrison, to allow Public Health Order 2020-08-1 to expire, as scheduled, on December 15, 2020. With all Board Members voting in favor of the motion, President Thomas declared the motion carried.***

**B. Amendment and Extension of Public Health Order 2020-10, Set to Expire December 14, 2020, Which Limits Indoor Event Capacity to 25 Persons, Limits Indoor Dining to One Household, Prohibits Spectators at Sporting Events, and Strongly Recommends All Businesses in Boulder County Allow Their Employees to Work from Home to the Greatest Extent Possible.**

Deputy County Attorney Trina Ruhland presented this item and said the Board adopted Public Health Order (PHO) 2020-10 (set to expire December 14, 2020) following a community surge that occurred in October. At that time, Boulder County was categorized as Level Orange on the Colorado COVID-19 Dial; since then, the State of Colorado moved Boulder County to Level Red, so Ms. Ruhland said most indoor dining and event capacity restrictions that were included in PHO 2020-10 were no longer relevant since they are not allowed under Level Red. She said spectators at sporting events were allowed by the State under Level Red; however, they were prohibited in Boulder County under PHO 2020-10. She recommended that the Board of Health amend and extend PHO 2020-10 to continue restricting spectators at sporting events in Boulder County for the foreseeable future.

Mr. Zayach said as vaccine becomes more readily available, it will be important to allow in-person learning in the schools for children. He said the two local school districts supported that and have requested that in-person teaching be allowed to the greatest extent possible. Mr. Zayach said staff recommended

in-person learning in the local schools in order to be consistent with other nearby counties (e.g. Adams and Jefferson Counties).

Mr. Zayach said Boulder Valley and St. Vrain Valley School Districts also supported the continued ban on spectators at high school, adult recreation league, and college sporting activities.

***Board Member Harrison made a motion, which was seconded by Vice President DeSantiago, to amend and extend Public Health Order 2020-10 to continue prohibiting spectators at local high school, adult recreational, and professional-level (including collegiate) sporting events. With all Board Members voting in favor of the motion, President Thomas declared the motion carried.***

### **C. Update on COVID-19 Vaccine Distribution Plan.**

Public Health Director Jeff Zayach said it was a monumental moment in history to have a COVID-19 vaccine developed and available for administration so rapidly that is also 95% effective. He said the availability of COVID-19 vaccines was the potential “light at the end of the tunnel,” and he expressed pride and gratitude for BCPH staff, who have worked quickly and diligently to develop an extensive vaccine distribution plan with key partners.

Interim Emergency Management Coordinator Chris Campbell gave an update on Boulder County’s COVID-19 vaccination plan. Until a vaccine was widely available, Mr. Campbell said people should continue following public health guidance of avoiding gatherings, social distancing, and wearing masks to prevent disease transmission, especially during the holiday season. He said as people become vaccinated, it will still take time before the vaccines impact the transmission of disease.

Mr. Campbell said staff worked with Boulder County, University of Colorado, Boulder Office of Emergency Management (OEM), Longmont OEM, Colorado Department of Public Health and Environment (CDPHE), and the Colorado North Central Region Healthcare Coalition to develop Boulder County’s vaccine distribution plan. He also acknowledged the contributions of Boulder County Medical Officer Chris Urbina, M.D., and BCPH epidemiologists.

Mr. Campbell said vaccines were developed in accordance with the following four phases:

- *Phase 1:* Vaccine development, which includes basic research, discovery, pre-clinical studies, clinical studies, and clinical trials.
- *Phase 2:* Review and approval by the U.S. Food and Drug Administration (FDA).
- *Phase 3:* Review and approval by the Centers for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices (ACIP).
- *Phase 4:* Post-approval monitoring and research.

Mr. Campbell said several vaccines will be available, including Pfizer, which has already received emergency use authorization (EUA); Moderna, which should receive approval soon; and Jansen/Johnson & Johnson and Astrazeneca/Oxford University, which should receive approval in early 2021. He said safety was the main priority in each phase of the vaccine development and use life cycle. He said it is unclear how long the vaccines will be effective but said vaccines are continually reviewed and revised, if needed.

Mr. Campbell said the vaccines varied regarding how they need to be handled, how many doses are required, storage requirements, etc. He said vaccine recipients should receive the same brand of vaccine for both shots if second doses are needed. Vaccine administration is complex, especially when the entire population must be vaccinated. He said complicating the matter are ultra-cold storage requirements, the need for second doses, and public concerns about vaccine safety and efficacy. He said community engagement was critical, so staff was working with BCPH Health Communications to help educate the community to ensure they are comfortable receiving the vaccine.

Vaccines will be administered using a phased approach:

- WINTER:
  - *Phase 1A*: Highest-risk health care workers and individuals, including health care workers with extended direct contact (i.e. 15 minutes or more in 24-hour period) with COVID-19 patients and long-term care facility (LTCF) staff and residents.
  - *Phase 1B*: Moderate-risk health care workers, including home health/hospice workers and emergency medical services, firefighters, police, correctional workers, funeral services, and other first responders.
- SPRING: *Phase 2* – higher-risk individuals and essential workers, including people over 65 years, people with chronic or compromised health, grocery store workers, school staff, and health care workers not covered in Phase 1.
- SUMMER: *Phase 3* – general public between the ages of 18-64 years.

Mr. Campbell said the federal government will distribute vaccines based on population numbers. Colorado has 1.69% of the U.S. population and should receive its first shipment of 338,000 doses in December. He said vaccines will also be provided free of charge.

Mr. Campbell said the plan was for health care workers to receive their vaccines from the hospitals, first responders from public health and pharmacies, and LTCF residents and staff from CVS and Walgreens pharmacies. Vaccine distribution strategies for Phases 2-3 were under development for essential front-line workers and congregate housing residents (e.g. jails, college dorms, etc.). High-risk individuals and the general public will likely receive their vaccinations from national pharmacy chains.

Staff answered questions of the Board and encouraged everyone to get vaccinated so businesses and schools can open and remain open. The Board discussed the fact that some people, especially groups of color, were leery about vaccines and/or government and health care systems, and others are anti-vaccine. Staff will address these concerns by developing strategies that emphasize truth and transparency. Additional information was available on CDPHE's website [www.covid19.colorado.gov/vaccine](http://www.covid19.colorado.gov/vaccine) or by calling 1-877-462-2911 (COHELP#).

#### **D. Update on Latest COVID-19 Trends.**

Public Health Director Jeff Zayach gave an update on current COVID trends and data. He said public health officials were concerned there would be a post-Thanksgiving spike; however, data indicate that trends continued to decline. Boulder County was categorized in the Level Red (severe risk) category on the State's COVID-19 Dial. A decline in two of three indicators would be needed for the State of Colorado to move Boulder County from Level Red to Level Orange (high risk).

Mr. Zayach provided the following statistics:

- Most cases in long-term care facilities (LTCF) involved staff. Contracts were in place for strike teams to vaccinate the LTCF population.
- The current five-day average for new cases in Boulder County was 121.4 and was continuing to decline (i.e. was higher than 250 in mid-November).
- Trends in two-week incidence rates for all age groups have declined since mid-November.
- Testing capacity in Boulder County was adequate. Public health officials encouraged people to get tested since 38% of asymptomatic people were identified via testing. Free testing, funded by CDPHE, will be available through March 2021.
- Hospitalizations have decreased to 71 (was in the 130-140 range in November).

Mr. Zayach said a review of scientific literature showed that young children, especially those younger than ten years, were less susceptible to COVID-19, and the risk of transmission from young children to household and community contacts was lower for children than it was for adults. It appears that in-person learning has had minimal impact on community transmission, and schools were not believed to be a primary driver of community case rates and community transmission. Data suggest that the in-person learning risk was lowest for grades K-5, slightly higher risk for grades 6-8, and highest for grades 9-12.

Communicable Disease and Emergency Management Division Manager Indira Gujral said public health officials were concerned about an increase in mental health concerns and depression. Data showed overdose rates were three times higher, and opioid use and overdose hospitalizations have increased significantly. She said staff will discuss these concerns with the community, making sure the public is aware of available mental health and substance use support. She said Mental Health Partners was participating in town hall meetings to ensure people were aware of available resources. Staff met with Flation Church to discuss mental health challenges and struggles that community members have been experiencing during the pandemic.

The Board thanked staff for the update.

**ITEM 4. Recognition of Heather Crate's Work to Champion Health Equity in Boulder County.**

Public Health Director Jeff Zayach said he has witnessed incredible growth in Open and Affirming Sexual Orientation and gender identity Support (OASOS) Program Coordinator Heather Crate. He expressed his gratitude and said Heather has been an incredible asset for Boulder County.

Community Health Division Manager Nadine Bridges said she was proud to honor Heather, whom she said was one of the most anti-racist and inclusive persons she knew. Health Equity Coordinator Sheila Davis added that Heather set the bar high in highlighting the importance of racial equity, especially during the COVID-19 pandemic and following the murders of George Floyd and others.

President Thomas read a letter of commendation into the record that highlighted Heather's work to support LGTQ+ youth and young adults in Boulder County, dismantle structural racism in Boulder County, and serve as Boulder County's liaison to the K-12 educational community during COVID-19. The Board members expressed their gratitude to Heather.

**ITEM 5. Resolution 2020-06, Adopting 2021 BCPH Approved Budget.**

Contracts, Purchasing, and Budget Manager Maryel Barron introduced Boulder County Chief Financial Officer Ramona Farineau, who gave an update on Boulder County's budget, which was approved by the Board of County Commissioners (BOCC) on December 8, 2020. Ms. Farineau reviewed the County's sales tax revenue collections in 2020, which she said increased 1.12% over 2019 collections, largely due to the collection of increased internet and marijuana sales tax.

Ms. Farineau said property taxes were the main source of funding for Boulder County. Initially, staff had been concerned about an anticipated \$25 million decrease in property tax revenues in 2022 because of the significant decline in commercial property taxes because of business closures and loss of lease revenue during the pandemic. She said the Gallagher Amendment, which set a limit on the ratio between residential and non-residential property taxes, was repealed by voters in the 2020 General Election, meaning the mill levy will remain the same for residential properties, even with the sharp decline in commercial property taxes. She said an annual increase limit of 5.5% required by the Gallagher Act will remain in effect.

With the repeal of the Gallagher Amendment, the County added a 1.6% range movement for all staff and a 1% merit for use at the discretion of department heads. Additionally, all full-time employees will

receive a one-time bonus (prorated for those less than full-time) to help offset significant increases in their health and dental benefit costs. Since the County's health plans are self-insured, additional funding has also been added to bolster the County's health/dental plans and risk fund and make needed infrastructure improvements.

Mr. Zayach outlined funding priorities for 2021, which included COVID-19. He expressed appreciation to Boulder County for helping BCPH recoup COVID-19 costs. Highlighted 2021 funding priorities included:

- COVID-19 response and vaccination planning and distribution.
- Health equity work and resource coordination.
- Mental health.
- Climate change, including the transition of some BCPH staff to Boulder County's Office of Sustainability, Climate Action, and Resilience (OSCAR).
- Universal home visitations to help fill gaps and expand the Clinica universal home visitation pilot to Salud.

Ms. Barron detailed several things considered when drafting the 2021 approved budget, including:

- \$1 million in ELC (Epidemiology & Laboratory Capacity) grant funding not received until 2022.
- \$2 million in CARES (Coronavirus Aid, Relieve, and Economic Security) Act reimbursement from Boulder County.
- Unfunded budget requests.
- 1.6% cost-of-living request for staff, as approved by the BOCC.
- Requested 2% salary increase for staff.
- Required return of all General Fund vacancy savings to Boulder County. This will be new starting in 2021 and will result in \$300,000-\$500,000 annual loss of funding for BCPH.
- Continuing flat or loss of grant funding.
- Upcoming strategic budget review for the 2022 budget that will examine all allocations and funding resources.
- Transitioning Partners for a Clean Environment (PACE) and Keep it Clean Partnership (KICP) to Boulder County OSCAR.

Ms. Barron outlined the 2021 budget, detailing funding, expense, and FTE breakdowns, as well as COVID-19 expenses that have included the hiring of 65 COVID-19 staff. She said the unassigned fund balance left a Reserve Fund balance of 6.7% (NOTE: the minimum base for BCPH's Reserve Fund is 5%). She said \$500,000 was earmarked for emergency preparedness contingency funding due to COVID-19. Mr. Zayach added that BCPH would continue to address COVID-19 in 2021, but staff was hopeful that the pandemic situation would improve as more people in the community are vaccinated.

Director of Administration and Finance Megan Hatten said it has been an interesting financial year with a great deal of uncertainty, especially regarding ELC and CARES Act funding. She expressed gratitude to Ms. Barron and Grants Accountant Melissa Golden for their work to designate and track all BCPH grants and funding throughout the course of the year. Ms. Hatten said she was pleased with the level of funding resources that the agency anticipated for 2021. To be good stewards of public resources and ensure the continuation of work with the level of received funding, the agency's division managers have committed to diligently monitor and respond to funding issues throughout the year, as funding, expenses, and associated guidance often shifts rapidly, so staff must be poised to respond accordingly.

Mr. Zayach and the Board thanked Ms. Barron for her presentation and work to prepare the budget. They acknowledged the sound financial planning that has been provided by Ms. Barron and Director of Administration and Finance Megan Hatten throughout the year. They also thanked Ms. Farineau for the County's support during this difficult year.

**Board Member Harrison made a motion, which was seconded by Board Member Fagan, to approve Resolution 2020-06, adopting the 2021 BCPH approved budget in the amount of \$23,640,974. With all members voting in favor of the motion, President Thomas declared the motion carried.**

**ITEM 6. Director's Report.**

President Thomas asked about the caseload for COVID-19 case investigators. Mr. Zayach said when most case investigators were hired initially, BCPH was operating under the State's "Protect Our Neighbor" standard and were investigating about 85% of cases within 24 hours. That involved 24-28 staff to handle about 50 cases. The current ratio was double that, but he said more staff were being hired.

Communicable Disease and Emergency Management Division Manager Indira Gujral said the State of Colorado was using a data collection system called Colorado Electronic Disease Reporting System (CEDRS), but it wasn't designed to handle a pandemic. She said the State has started using a new system called "Dr. Justina." That and the increased staffing will allow BCPH to handle about 75 cases. Dr. Gujral added that BCPH has dedicated teams of case investigators who work specifically with various populations, such as long-term care facilities, K-12 schools, and early childhood care centers. She said staff would be building out general case investigators and dedicating another team for outbreaks and outbreak management, and she highlighted the teams' successes in dealing with cases at the jail, shelters, and COVID-19 recovery center. If numbers continue to decline, she said the agency would be in good shape moving forward.

**ITEM 7. Old & New Business / Announcements.**

Mr. Zayach announced that Director of Finance and Administration Megan Hatten has resigned to accept a position as Director of COVID Operations at the University of Colorado (CU). He expressed his gratitude for all Ms. Hatten has provided to BCPH, including her strong leadership role serving as incident commander during the initial COVID-19 response efforts. He said BCPH would benefit from Ms. Hatten's new role at CU, as she will provide a public health focus on issues affecting the university.

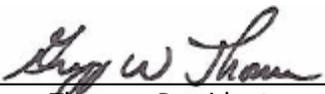
Mr. Zayach also expressed appreciation to Contracts, Purchasing, and Budget Manager Maryel Barron, who has agreed to serve as interim Director of Finance and Administration. He said Administration can hire hourly staff (including Ms. Hatten) to support Administration, as needed.

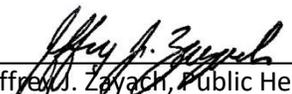
Ms. Hatten said she was excited for her new opportunity. She extended deep appreciation to Ms. Barron, who Ms. Hatten said basically managed the Administration Division during the pandemic while Ms. Hatten focused on COVID-19 response. Ms. Hatten said she would miss BCPH and her colleagues and thanked Mr. Zayach for his support.

President Thomas congratulated Ms. Hatten and thanked her for her service.

**ITEM 8. Adjournment.**

There being nothing further to discuss, President Thomas declared the meeting adjourned at 8:01 p.m.

  
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Gregg Thomas, President

  
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Jeffrey J. Zayach, Public Health Director