

# OFFICIAL RECORD OF PROCEEDINGS

## **Boulder County Board of Health (BOH) Regular Meeting Online/Telephonic Meeting August 10, 2020**

**BOH Members:** President Gregg Thomas (who arrived at 5:44 p.m.); Vice President Jorge DeSantiago; and Board Members Morgan McMillan; Landrey Fagan, M.D.; and McKenzie Rieder.

**BCPH Staff:** Public Health Director Jeff Zayach; Director of Strategic Initiatives Susan Motika; Communicable Disease and Emergency Management Division Manager Indira Gujral, Ph.D.; Environmental Health Division Manager Joe Malinowski; Community Health Division Manager Nadine Bridges; Family Health Division Manager Andrea Pruetz; Contracts, Purchasing, and Budget Manager Maryel Barron; Health Equity Coordinator Sheila Davis, M.D.; Water Quality Program Coordinator Erin Dodge; Environmental Health Specialist Celeste Gleason; and Business Operations Manager Tammy Golden.

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

Vice President DeSantiago called the meeting to order at 5:34 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, Vice President DeSantiago said the meeting was being conducted online and telephonically.

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

Jeff Thompson, a member of the public, said he felt that the Board of Health and Boulder County Public Health (BCPH) should do more to address COVID-19 in Boulder County. He felt that current testing efforts were inadequate, and that more should be done to suppress the virus in the community. He also said he felt local law enforcement and BCPH could be more diligent in addressing violators of public health orders. The Board thanked Mr. Thompson for his comments.

### **ITEM 2. Approval of July 13, 2020, Regular Meeting Minutes.**

***Board Member McMillan made a motion, which was seconded by Vice President DeSantiago, to approve the July 13, 2020, Board of Health minutes, as presented. With all members voting in favor of the motion, President Thomas declared the motion carried.***

### **ITEM 3. Discussion on Proposed Onsite Wastewater Treatment System (OTWS) Fees.**

Water Quality Program Coordinator Erin Dodge presented staff's recommendations for increasing onsite wastewater treatment system (OWTS) fees in Boulder County. She said a public hearing would be held during the September 14 Board of Health meeting.

Ms. Dodge said a review of time spent by staff on OWTS permits indicated that current fees didn't adequately recover program costs directly applicable to the issuance of OWTS permits. The Board of Health did adopt some fee adjustments last year; however, there was a fee cap in the State Statutes at the time (C.R.S. §25-10-107) that restricted fee increases for major and new construction permits. That cap has been removed by the Colorado Legislature, which allowed for fee increases for major and new permits.

Ms. Dodge said BCPH offered a sliding fee scale that is based on U.S. Housing and Urban Development (HUD) criteria for Boulder County low-median income households, and the sliding fee scale will remain available for those in need. She said Boulder County was one of the first counties to increase its OWTS fees after removal of the \$1,000 fee cap in the State Statutes.

Ms. Dodge said the public hearing for the proposed fees would be held at the September 14 Board of Health meeting.

**ITEM 4. Resolution 2020-01, Approving BCPH 2020 Amended Budget.**

Public Health Director Jeff Zayach introduced Contracts, Purchasing, and Budget Manager Maryel Barron, who joined BCPH in February. She has since been busy working on the Oracle financial system transition and managing COVID-19 finance requirements.

The Board of Health adopted Resolution 2019-03 on July 22, 2019, approving the 2020 Recommended Budget in the amount of \$17,383,994. The Board subsequently adopted Resolution 2019-07 on December 9, 2019, approving the 2020 Approved Budget in the amount of \$18,807,250.

Ms. Barron outlined the major adjustments included in Resolution 2020-01, which amended the 2020 Approved Budget from \$18,807,250 to \$18,007,156 for a net decrease of \$800,094:

- Increase of \$1,205,681 from the Colorado Department of Public Health & Environment (CDPHE) to help support the agency's COVID-19 response and recovery efforts.
- Transitioning the Partners for a Clean Environment (PACE) Program from BCPH to the Boulder County Office of Sustainability, Climate Action, and Resilience (OSCAR), resulting in:
  - Decrease of \$427,657 in Sustainability Tax revenue from \$453,543 to \$25,886.
  - Decrease of \$715,908 in City of Boulder PACE Program funding from \$789,429 to \$73,521.
  - Decrease of \$361,114 in General Fund revenue from \$460,960 to \$99,846.
- Increase of \$32,000 in WIC (Women, Infants, and Children) revenue from \$807,574 to \$839,574. Since initial revenue didn't cover program costs, a request was made to CDPHE to help cover 2019-2020 expenditures.

Ms. Barron said the amendments included in Resolution 2020-01 would result in a Reserve Fund balance of 14.9% of 2020 expenditures.

***Board Member McMillan made a motion, which was seconded by Vice President DeSantiago, to approve Resolution 2020-01, approving the 2020 Amended Budget in the amount of \$18,007,156. With all members voting in favor of the motion, President Thomas declared the motion carried.***

**ITEM 5. Budget Study Session on 2021 Recommended Budget.**

(NOTE: Board minutes are not taken for study sessions.)

**ITEM 6. Update on Current COVID-19 Pandemic.**

Public Health Director Jeff Zayach gave an update on the current COVID-19 pandemic and shared current statistics and data. In addition to posting weekly COVID-19 updates on the County's website, Mr. Zayach said BCPH regularly shared information and guidance with a number of community partners, including municipal administrators, legislators, and school administrators. Staff also collaborated frequently with the Colorado Department of Public Health and Environment (CDPHE) and other local public health agencies to discuss COVID-19 information and strategies.

Compared with other local counties, Boulder County COVID-19 numbers were consistently some of the

lowest. The number of initial cases was mainly due to travel, but case numbers declined after public health orders were issued. As expected, the recent increase in cases coincided with the relaxation of public health orders, as well as a rise in group gatherings, such as those taking place on The Hill in Boulder in late May and early June. Mr. Zayach said the majority of case growth was in the older teen and young adult (20-29 years) population, although the 80+ years population was the most seriously impacted (i.e. higher percentage of deaths). He noted that the number of hospitalizations in Boulder County has been manageable and was lower in Boulder County than in other metro area counties.

Mr. Zayach said according to a study conducted by Harvard that determined the recommended number of tests per capita, there should be 495 tests conducted in Boulder County on a daily basis. He said there aren't currently testing capacity issues in Boulder County; the more serious challenge was access to free tests and turnaround time for receiving test results, which Mr. Zayach said were major issues locally, statewide, and nationally.

The targeted positivity rate was under 5%. In Boulder County the positive rate has consistently been under 4% and as low as 2%. Mr. Zayach said the University of Colorado (CU) has secured independent testing contracts, and thus would not be burdening the State of Colorado to process tests.

When the Stay-at-Home public health order was issued, the social distancing compliance rate was about 80%. When the state moved to the Safer-at-Home phase, the social distancing rate fell under 50%, so Governor Polis increased restrictions to avoid overwhelming hospitals. Mr. Zayach said a target social distancing rate of 65% would allow for a slow growth in cases while not exceeding or extending hospital capacity, and in Boulder County that rate was about 55%.

Mr. Zayach said it was unlikely any counties would be able to enter the next phase called Protect Our Neighbor anytime soon. Because to do so there would need to be increased availability of contact tracers and case investigators, the implementation of a surge plan, and two weeks of decreased caseloads. He said it would be hard for any county to meet those Protect Our Neighbor requirements at this time.

Mr. Zayach said a masking survey conducted in July by staff in the Strategic Initiatives Branch indicated that a high number of people in Boulder County were wearing masks. Recent percentages of people who were observed wearing masks in Boulder County ranged from 95.7% in Longmont to 99.4% in Louisville. Mr. Zayach said the survey would be conducted monthly to identify trends.

Mr. Zayach said Boulder County was currently hiring a number of COVID-19 staff members, including case investigators, contact tracers, education specialists, data specialists, a resource coordinator for priority populations, and bilingual staff (i.e. case investigators, contact tracers, and communications specialists). He said Boulder County Public Health regularly met with local chambers of commerce, local businesses, and code enforcement officials from local jurisdictions to conduct on-the-ground assessments, discuss concerns, disseminate information, and respond to complaints.

Mr. Zayach highlighted the importance of the resource coordinator position and bilingual staff to work with priority populations, including the Latinx population. He said there was unacceptable inequity and a higher percentage of COVID-19 diagnoses within the Latinx population when compared to other population sectors. He said many Latinx people were uncomfortable working with any governmental organizations, so he stressed the importance of collaboration with cultural brokers and community organizations that worked with vulnerable populations in order to help bridge service gaps.

The State of Colorado has invested in influenza resources to help prevent overwhelming the hospitals.

The State is working hard to ensure flu vaccine is available for Colorado residents this fall.

Mr. Zayach discussed how important it was for children to safely return to school as soon as possible. He recognized the untenable situation that schools were experiencing and the many stressors and risks of all involved, including schools, teachers, parents, and students. Mr. Zayach discussed the need and importance of addressing mental health, the difficulty for parents to teach their children while also working from home, etc. He reiterated the need for appropriate social distancing, masking, and other public health measures to ensure that students can return to school safely to the maximum extent possible. He said the two local school districts originally planned to begin the school year on a split schedule, but both districts later decided to postpone in-person teaching until at least mid-September.

Mr. Zayach said the ideal solution was the circulation of a vaccine throughout the community to help provide herd immunity. He said that he and Boulder County Medical Officer Chris Urbina, M.D., regularly discussed data, current information, and guidance with a number of experts, including the Academy of Pediatrics, state epidemiologists, metro public health directors, etc.

President Thomas thanked Mr. Zayach for the update. While compliance with masking orders was significant, President Thomas said he felt the decline in social distancing was responsible for the surge of cases in July. He wondered if wearing masks would have a positive effect on flu cases this year. He also voiced concerns about the ability of restaurants to continue serving customers outdoors when the weather chills, as that will make it even harder for the businesses to remain viable.

Staff and Governor Polis will continue to closely monitor COVID-19 in Colorado. Mr. Zayach said the current masking order would likely be extended again. He also said the intersection of influenza and COVID-19 will be challenging, and the public health message to the community will remain the same – continue wearing face coverings, practice social distancing, keep group gathering numbers low, and frequently wash your hands.

Board Members McMillan and DeSantiago thanked Mr. Zayach and staff for their diligence in battling COVID-19 in Boulder County and said their efforts were greatly appreciated.

**ITEM 7. Director’s Report.**

No additional comments to the written director’s report.

**ITEM 8. Old & New Business / Announcements.**

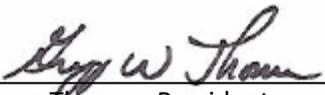
**Air Quality:** President Thomas expressed his appreciation to the Air Quality Program staff for their leadership in collaborating with several local governments to address Regulation 7. The coalition questioned proposals in the rulemaking that won’t result to significant greenhouse gas (GHG) reductions, which was inconsistent with assertions made by the State of Colorado. President Thomas said the collaboration was an effective model to leverage a variety of areas of expertise to benefit common good, and he said he was proud of the effort.

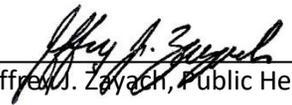
**Board Member Rieder:** Public Health Director Jeff Zayach said this was the last BOH meeting for Board Member Rieder, who did not reapply for a second term because she’s moving out of Boulder County. Mr. Zayach said Board Member Rieder was appointed to the Board of Health in February 2019 and has been an active and thoughtful board member. Due to COVID-19, staff and the other board members were unable to say goodbye to Board Member Rieder in person, and Mr. Zayach said a token of appreciation from BCPH was being sent to her.

Board Member Rieder thanked Mr. Zayach and expressed her appreciation for the opportunity to serve the community as a member of the Board of Health. She said she enjoyed her time on the BOH and was interested in applying for a board of health position in her new county. President Thomas echoed Mr. Zayach’s words of appreciation and said he also valued Board Member Rieder’s contributions.

**ITEM 9. Adjournment.**

There being nothing further to discuss, President Thomas declared the meeting adjourned at 7:56 p.m.

  
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Gregg Thomas, President

  
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Jeffrey J. Zayach, Public Health Director