

OFFICIAL RECORD OF PROCEEDINGS

Boulder County Board of Health (BOH) Regular Meeting

In Person and Virtual Meeting: Apr 13, 2026

Board of Health Members in Attendance:

Vice President Amber Johnson, Steven Yoon, Morgan McMillan.

BCPH Staff in Attendance:

Executive Director Lexi Nolen; Deputy Director Indira Gujral; Finance Manager Desiree Kazarosian; Budget Analyst Sarah DeVore; Environmental Health Division Manager Rachel Arndt; CDEM Division Manager Stephanie Faren; Family Health Division Manager Daphne McCabe; Policy Lead Tessa Hale; Water Quality Program Coordinator Erin Dodge; Immunization Program Manager Carol Helwig; Chief Medical Officer Dr. Bob Belknap; Executive Administrative Assistant Patrick Kuhnell

Boulder County Staff in Attendance:

Senior Assistant County Attorney, Kate Haywood.

Members of the Public who Provided Comment:

Michael Rogers

Meeting Called to Order.

Board Vice President Johnson called the meeting to order at 5:31 p.m. and asked all participants to identify themselves for the record (see above). Vice President Johnson declared that a quorum was present, that notice of this meeting was posted on the Board of Health website, and that the call-in information and address was included to allow for public participation. This meeting was held in hybrid-fashion with members of the board, staff, and members of the public meeting in-person and online.

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

Michael Rogers indicated that his question was answered during the OWTS presentation by Erin Dodge.

ITEM 2. Approval of Meeting Minutes.

Board Vice President Johnson made a motion, which was seconded by Board Member McMillan, to approve the March 9, 2026 Regular Board of Health minutes. With all Board Members present in favor of the motion, Vice President Johnson declared the motion unanimously carried.

ITEM 3. On-Site Wastewater Treatment Systems (OWTS): Program and Regulations

Presenters: Erin Dodge, Rachel Arndt, Lexi Nolen

The presenters explained that the purpose of this session was to provide Board members with a thorough grounding in the program before bringing forward a vote on required state regulation updates in May. The presenters reviewed the Board's roles, including adopting local regulations, hearing variances and appeals, and approving fee schedules. Erin Dodge then offered a detailed walkthrough of how septic systems function, the complexities of Boulder County's soil and geology, and why proper

design and soil analysis are critical to preventing failure. Erin highlighted the extensive history of septic permitting in the county, noting that staff have reduced the number of unapproved or undocumented systems from nearly 5,000 to around 700 through property transfer inspections, development review, and substantial data cleanup. She also described public health risks such as E. coli contamination, direct discharges found in waterways, and national examples of disease resurgence linked to failing systems. Finally, Erin previewed upcoming state-mandated regulatory changes, most of which are technical and non-optional, and noted that new state rules will likely increase the number of variances requiring Board review.

Discussion and Action Items on OWTS:

Question (Steven Yoon): Did Boulder County have evidence of outbreaks or clusters caused by septic system failures?

Answer (Erin Dodge)

- No specific disease outbreaks were clearly traced to septic failures.
- Waterborne illnesses in the county were relatively rare and may be underreported.
- The more visible impact was at the watershed level: many Boulder County streams were on the state's 303(d) impaired waters list, with microbial contamination as a concern, and failing or substandard septic systems were one potential contributor.

Question (Steven Yoon): Would new OWTS regulations apply retroactively, or would existing systems be grandfathered?

Answer (Erin Dodge)

- Existing permitted and approved systems would generally be grandfathered.
- New standards would apply when:
 - A new system was installed, or
 - A major modification triggered a new or substantially revised permit.
- Repairs would allow flexibility to avoid effectively evicting homeowners by imposing unmeetable standards on constrained properties.
- Applications are reviewed under the regulations in effect when the application is submitted, with clear cutoff dates during transitions.

Question (Morgan McMillan): Are higher-level treatment systems required only because of small lot sizes and setbacks, or also in other circumstances?

Answer (Erin Dodge)

- Small or constrained lots (e.g., in mountain communities like Eldora) are a primary driver, as higher-level treatment can allow reduced setbacks.
- In at least one subdivision north of Longmont, HOA covenants require higher-level treatment even on larger lots.
- In practice, higher-level treatment is used both for physical constraints and in response to subdivision rules or risk considerations.

Question (Morgan McMillan): Once a septic permit is issued, is there any required reinspection or renewal, or can a system go decades without review?

Answer (Erin Dodge)

- Standard OWTS permits do not require routine reinspection or renewal.
- Higher-level treatment systems must hold renewable permits, given their complexity and higher risk.
- Staff are working to strengthen oversight for non-residential systems, which can carry higher public health risks.
- Erin noted that making more systems subject to renewal would be desirable but is not current practice.

Question (Steven Yoon): What proportion of Boulder County households are on septic versus municipal systems?

Answer (Erin Dodge, Rachel Arndt, with calculation by Morgan McMillan)

- Approximately 14,000 parcels in the county have septic permits.
- Boulder County has about 110,000 households; the remainder are served by municipal or small wastewater districts.
- Rough estimate: about 12–15% of households are on septic.
- Some of the 14,000 systems are commercial or non-residential, so the actual percentage of households is slightly lower; a precise figure would require additional data analysis.

Question (Steven Yoon): Will the Board receive a full write-up of OWTS regulation changes before the May meeting?

Answer (Erin Dodge)

- Yes. The Board will receive:
- The full regulation text (~120 pages), and
- A detailed executive summary highlighting:
- Major categories of changes,
- Which elements are state-mandated vs. local choices, and
- All opt-in/opt-out options.
- Board time will focus on the policy and discretion areas, not purely technical details.

Question (Morgan McMillan): For applications already in the queue, which rules will apply if regulations change?

Answer (Erin Dodge)

- Applications submitted before the cutoff will be reviewed under current regulations.
- Applications submitted on or after the cutoff will be reviewed under the new regulations.

Question (Amber Johnson): Is there any penalty for counties that opt out of state “opt-in/opt-out” elements like property transfer inspections?

Answer (Erin Dodge, with input from Rachel Arndt)

- There is no explicit penalty for opting out.
- Some rural counties have stayed out due to capacity or political concerns.
- CDPHE and regional groups are actively trying to normalize participation by providing model tools and support.
- Boulder County has long been opted in and treats these as standard best practices.

ITEM 4. Policy and State Legislative Session Updates

Presenters: Tessa Hale, Lexi Nolen

The Board heard policy and state legislative updates. Tessa contextualized the session within Colorado's challenging fiscal environment, describing the state's structural deficit and the substantial budget shortfalls addressed during the current legislative cycle. Tessa reported that a previously proposed \$3.3 million cut to local public health funding had been reduced to \$1.5 million, which was considered a favorable outcome given the state's constraints. Tessa also noted a \$10 million diversion from the tobacco education fund, which may reduce prevention funding statewide.

Tessa updated the Board on the progress of several bills Boulder County Public Health supports, including measures on immunization access, protections for minors seeking name changes, behavioral health transportation, water quality in mobile home parks, and Black maternal health equity. Tessa flagged the uncertainty facing bills with fiscal notes due to the lack of available state funds and highlighted several alcohol- and cannabis-related bills that pose public health concerns. Tessa also described statewide efforts to reform regulations on methamphetamine-affected property cleanup, which currently impose excessive cost and displacement on residents. A multidisciplinary task force has been reconvened to provide data and recommendations. Local policy initiatives were also discussed, including Lafayette's development of a tobacco retail licensing program and vape-waste management strategy, and ongoing community-driven work on sugar-sweetened beverage policy in Lafayette and Louisville, supported by a new grant from the Johns Hopkins Bloomberg School of Public Health.

Discussion and Action Items on Policy and State Legislative Updates:

None.

ITEM 5. Finance and Budget Update

Presenters: Desiree Kazarosian, Sarah DeVore

Desiree reported that expenditures for 2025 were within 3.6% of the adopted budget, though operating expenses were underspent by about 20%. Staff plan to analyze the causes of this variance, which is likely related to cautious spending during a budget-constrained year. Sarah then reviewed 2026 year-to-date spending, noting that most programs were on track and that lower expenditures in Environmental Health were due to seasonal patterns. She explained that projected 2026 revenue adjustments, initially estimated at \$1.4 million, would likely be closer to \$500,000 to \$600,000 once limited to confirmed awards, and that a second budget amendment later in the year was probable as state contracts are finalized. Desiree presented preliminary fund balance figures showing a lower-than-expected draw for 2025 and a projected 2027 reserve of 19.2%, comfortably within Board-mandated limits. Sarah then outlined the early development of the 2027 budget using two scenarios: a flat-funding approach

reflecting known state cuts and reduced grants, and a second scenario incorporating anticipated grant revenues while accounting for a possible but unconfirmed \$700,000 county budget reduction request. The presenters emphasized that the department is entering the budget season in a far more stable position due to last year’s implementation of priority-based budgeting.

Discussion and Action Items on Finance and Budget Update:

Question (Morgan McMillan): What caused the approximately 20% underspend in 2025 operating expenses, and will staff analyze it in more depth?

Answer (Desiree Kazarosian and Sarah DeVore)

- Preliminary conclusion was that the underspend reflected conservative, fiscally responsible spending during a time of budget conservation.
- The lower-than-planned spending reduced the actual 2025 fund balance draw to about \$1.2 million, compared to the planned \$2.1 million, thereby extending the agency’s financial runway.
- Staff committed to:
 - Break down where the underspend occurred (by program and funding source),
 - Distinguish one-time vs ongoing savings, and
 - Present findings to the Board at a future meeting.

Question (Morgan McMillan): How will the Board be engaged in reviewing the analysis of the 2025 variance and the 2026 budget amendment?

Answer (Sarah DeVore and Desiree Kazarosian)

- Staff are preparing a 2026 budget amendment now, with conservative recognition of new grant revenues.
- A follow-up session will be scheduled after that amendment is finalized to:
 - Walk the Board through the drivers of the 2025 underspend, and
 - Discuss implications for 2027 budget scenarios and reserves.

ITEM 6. Director’s Report.

Presenter: Lexi Nolen.

In her Director’s Report, Lexi Nolen had no additional updates but received appreciation from Board members for highlighting staff achievements and noting emerging operational considerations such as the future local impact of hosting the Sundance Festival. Board members expressed positive feedback about department transparency and the value of recognizing staff contributions.

Discussion and Action Items on Directors Report:

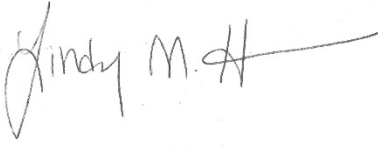
None.

ITEM 7. Old and New Business.

None.

ITEM 8. Adjournment.

Board Vice President Johnson declared the meeting adjourned at 6:54 p.m.



Signed, Lindy Hinman,
Board President



Signed, Alexandra (Lexi) Nolen,
Executive Director