

SAN ■ JUAN ■ BASIN MEETING MINUTES
HEALTH REGULAR MEETING OF THE BOARD OF HEALTH
DEPARTMENT SJBHD
DURANGO, COLORADO
FEBRUARY 25, 2016

Attendance: Bob Ledger, Ann Bruzzese, Michael Whiting, Brad Cochennet, Gwen Lachelt, Shere Byrd, Bobby Lieb

- I. CALL TO ORDER at 2:04 p.m.
- II. APPROVAL OF AGENDA & CONTENT – Amend agenda to add Board Member recruitment item VIII as Other Business.
- III. PUBLIC HEARING
- IV. OPEN REGULAR MEETING
- V. PUBLIC COMMENT (This is an opportunity for the public to address the Board of Health on a subject not covered on the agenda. The Board is not required to discuss OR make a decision regarding comments under this section.) No public in attendance. Liane introduced Becky Wilmer as the new Executive Administrative Assistant and Clerk to the BOH.
- VI. STAFF PRESENTATION: Emergency Preparedness and Response (EPR) by Claire Macpherson. Claire is the EPR Regional Coordinator that works with La Plata, San Juan, Montezuma, Dolores, and Archuleta Counties, Southern Ute Indian Tribe (SUIT), and Mountain Ute Indian Tribe with emergency planning, training, exercising, and response.

Purpose - To minimize damage, ensure health and safety of community, provide continuity of operations, protect vital records and assets and support our partners. EPR is a core public health service provided by SJBH.

Planning – Continuity of Operations Plan (COOP) i.e. emergency building issues, staffing, or business is not as usual, how does SJBH respond? BOH will be asked to comment on the plan.

Training – Point of Dispensing (POD) last November. Spokesperson training was in January. In May, trainings on Public Information Officer Basic and Advanced (which looks at joint information centers and working together) will be offered. Emergency Operation Center training is scheduled for April 7th and 8th.

Exercise – In December, SJBH hosted Point Of Dispensing exercise. Over 300 Tdap vaccines were provided to the community. On January 20th, SJBH planned and exercised the Coughmonic exercise around Pneumonic Plague. In May, a Regional Transfer Point exercise will be held.

VII. CONSENT ITEMS

- a. **Approval of Minutes for meeting held on January 28, 2016.**
Board Member asked if A, B and C should be handled together, but Gwen Lachelt was not in attendance and asked to handle the items separately. All agreed.

Brad Cochennet moved to approve item a., Mike Whiting seconded. The Board unanimously passed.
Gwen mentioned that the date on the minutes for January was incorrect; the year still says 2015.
- b. **Payroll and Accounts Payable Validation for January 2016**
Bob Ledger suggested combining item b. with item c. for the vote.
- c. **Financial Reports for November and December (Draft) 2015**
Michael Whiting moved to approve items b. & c., Shere Byrd seconded. The Board unanimously passed.

- VIII. **OTHER BUSINESS:** Appointment process for a new board member to replace Bobby Lieb.
Last month Bobby Lieb announced he is relocating and therefore resigning from BOH effective February 2016.

SJBH Board members are appointed by the Appointments Committee which is comprised of the BOH County Commissioner from each county. BOH has a procedure in place that describes how this is accomplished. Ann will send the procedure to Commissioners Lachelt and Whiting.

Board members discussed need to recruit for skills and experience that can fill Bobby's current role on the Finance Committee. Board members discussed that the opening will likely be filled with individual from La Plata County rather than Archuleta County.

Appointments Committee requested that other Board members send them suggestions of community members with strong financial and/or accounting background. Gwen stated that her staff can help arrange meetings with candidates. Board requested that the full Board have an opportunity to discuss candidates and weigh in on needs. Board requests Board recruitment as an agenda item for March.

IX. ITEMS TO BE CONSIDERED FOR DECISION

- a. **Resolution for Executive Director signature authorization by Ann Bruzzese, Legal Counsel for SJBH**
Ann reminded the Board that currently the building is owned in an undivided interest. Undivided means that if SJBH wants to lease, sell, or mortgage, it is not possible without the other building owner's permission. Separate ownership of condominiums allows for these activities.

There are two items needed in Colorado to make a condominium. A plat is filed simultaneously with a Declaration of Covenants, Conditions and Restrictions (CCR'S). Ann stated that Board received the plat in their packet and it is correct according to surveyor.

Ann then gave an overview of the CCR's. Under Condominium ownership, airspace to the drywall is owned by the property owners. There are also general and limited common elements. According to the CCR's, the mechanics, utilities, entries, and elevator, the roof and parking area will be general common elements. SJBH will be responsible for costs of maintaining these in proportion to SJBH's ownership interest (approximately 47%). At this time, there are no defined limited common elements, but there is room for it in the future.

Other critical points of CCR's that Ann notes are as follows: The building will be governed by condo association (Columbine Condominium Association). Each owner will have one voting person according to allocated interest. The association is required to meet once a year to set operating and reserve budgets to maintain and care for the building.

Also, the CCR's include additional use restrictions, in addition to City of Durango zoning. The other owners effectively want to limit use to commercial space that is comparable to current use. It will take a unanimous vote to change usage and it applies equally to all of the tenants.

Legal counsel Ann Bruzzese requests that BOH provide Liane Jollon with authorization to sign documents to condominiumize.

Brad Cochennet moved to approve, Michael Whiting seconded. The Board unanimously passed.

- b. **2015 Audit Request for Proposal by Lesley Marie**
As directed by the Board, a "Request for Proposal for Audit Services" was issued in January of 2016. While a number of audit firms expressed interest, SJBH received one response from Haynie & Company who has completed our last three audits. Board and staff agreed that Haynie has been professional and knowledgeable. Staff requested that the Board approve the attached audit proposal for the 2015 Audit.

Board engaged in discussion about best practices for length of time with an auditor. It was suggested that three to five years is common. Lesley stated that now that Haynie has experience with our agency's business practices, she is looking forward to building upon and enhancing the work with them. Also, in January the BOH Finance Committee discussed this issue and made a recommendation to the Board to consider continued engagement with Haynie & Co.

Shere Byrd moved to approve, Michael Whiting seconded. The Board unanimously passed.

X. REPORTS

- a. **Executive Director and Staff Report by Liane Jollon:**
Facilities: Condo is moving forward. There are also plans to put together a capital improvement budget. Repairs will be needed in the future due to deferred maintenance. Presently, a heating unit needs to be

replaced with an estimate of \$20,000, of which SJBH will be responsible for about 47%.

Legislative: Joint budget committee for assigning funds has approved \$7.2 million dollars of marijuana tax money to go to public health for substance abuse programs. It is unclear if it will remain in the budget in April.

- Long Acting Reversible Contraception (LARC) funding made it through the first round. 50% of prior LARC funding was replaced by private foundations and the legislature is now considering \$2.5 million to make that program whole again.
- Retail Food Establishment bill to increase fees is being presented again.
- Legislation introduced to address indoor Radon exposure.
- Legislative action regarding how we regulate cottage food vs industrial food industries.
- Legislation introduced to address issues surrounding Mineral and Hinsdale counties becoming a public health district
- Tobacco Use: County commissions voted unanimously to raise the Nicotine age to 21. This may not be evidence based public health practice.

Programs:

Crypto event is over with four confirmed cases.

Care Coordination Program – An agreement is in place for a pilot program with Mercy to increase services to emergency department high utilizers. This won't change the role SJBH currently plays, but is a program adjustment to allow better access to clients before they are discharged.

Staffing: Recruitment is ongoing for multiple positions in Environmental Health. The plan is to hire leadership before filling staff positions therefore there is currently a staff deficit. Collaboration is ongoing with CDPHE to appropriately triage activities during interim period and to plan for surge capacity resources, if needed. Board member inquired about general restaurant code enforcement practices.

I. BOH Onsite Wastewater Treatment System (OWTS) Administrative Procedures review re: OWTS Regulation Section 10 Experimental Systems by Liane Jollon

i. Section 10 of SJBH OWTS regulations:

1. Except for designs or types of systems which have been approved by the CDPHE - WQCD pursuant to section 25-10-108 (1), C.R.S., the Board of Health may approve an application for a type of system not otherwise provided for in these Regulations only if the system has been designed by a professional engineer, and only if the application provides proof of the ability to install a replacement OWTS in compliance with all local requirements in a timely manner in the event of a failure or malfunction of the experimental system.
 2. The Board of Health shall not arbitrarily deny any person the right to consideration of an application for such a system and shall apply reasonable performance standards in determining whether to approve such an application. 25-10-108 (2), C.R.S.
- ii. Interim EH Director, Chad Engelhardt, discovered upon a request for final signoff for certificate of occupancy that former SJBH EH Director, Greg Brand, knowingly approved a system that is not approved by CDPHE, and therefore should have been subject to the Board process noted above.
 - iii. Liane requested that the Board notify all adjacent owners and publicly notice a hearing to make a determination. Ann requested that staff investigate further whether or not the owner is occupying the property or is waiting for CO, etc.

II. Arboviruses – Risk of Introduction in the United States and its territories by Keri McCune

- i. SJBH does not anticipate significant local Zika activity, but may have returning travelers.

III. Gold King Mine and Spring Runoff Planning update by Liane Jollon

BOH had opportunity to review slides and provide comments related to SJBH's development of future talking points on human health risks of GKM and Spring Runoff.

Every spring, the Animas River experiences runoff with naturally occurring sediments. Many of these sediments originate in the upper Animas Mining District and are naturally high in certain heavy metals. The Gold King Mine Incident transported additional sediment, some of which accumulated along the banks and bed of the Animas River within Colorado. Sediment left behind from the Gold King Mine has a noticeable yellow-orange color, but is otherwise similar to the naturally occurring sediment that is present every spring as water levels rise. Exposure to both water and sediment is not expected to harm human health during typical recreational exposure.

Gwen Lachelt reported that the La Plata County (LPC) Commissioners met with EPA leaders in Washington.

Gwen stated other issues that were discussed as follows:

- LPC feels like EPA has washed their hands and LPC remains \$208,000 short dealing with incident.
- LPC was encouraged to write cooperative agreement and now EPA has convened a meeting to see how to spend the budget.
- EPA is usually the regulator not the polluter.
- Need to find additional funds for adequate long term monitoring.
- Asked for one point of contact in the region, but haven't received it.
- EPA has clammed up since New Mexico lawsuit.

Liane requests that SJBH will be included or updated regarding future LPC policy discussion with EPA. Gwen stated that she will forward current follow up and future conversation to Liane.

b. Personnel/Management Committee (Bob Ledger & Brad Cochennet): Next meeting TBD

c. Finance Committee (Brad Cochennet) Quarterly: Next meeting: April 2016

d. Financial Reports for January 2016 by Lesley Marie

- i. There was discussion on changing the financial reports. Board member suggested one set of financials in the consent items. Staff will change order on agenda for next month.
- ii. Lesley stated that balance sheet will remain "draft" until audit report is complete for 2015.
- iii. Currently in a negative position in January due to car purchases.
- iv. Finance Committee requested that, beginning in 2016, staff make notes of budget variances in excess of 25%, as this is the standard for state contracts. Former practice was \$10,000 regardless of budget item amount.

XI. EXECUTIVE SESSION. None

XII. NEXT REGULAR BOARD MEETING Thursday, March 31st 2:00pm, Columbine Conference Room, Durango, CO

XIII. MEETING ADJOURNED 4:36 p.m.