

SAN JUAN BASIN

public health

MEETING MINUTES

REGULAR MEETING OF THE BOARD OF HEALTH

COLUMBINE CONFERENCE ROOM

SJBPH OFFICES

DURANGO, CO

AUGUST 31, 2017, 9 A.M.

Attendance: Bob Ledger, Ann Bruzzese, Karin Daniels, Terryl Peterson, Shere Byrd, Gwen Lachelt, Michael Whiting, and Michael Goldman, Legal Counsel

I. CALL TO ORDER at 9:02 a.m.

II. APPROVAL OF AGENDA & CONTENT

To accommodate Board members and guests present for the public hearing, Executive Director requested that the Board move item **X. d** to be discussed after public hearing, then **X. c** immediately after. Shere Byrd moved to approve amendment to the agenda, Gwen Lachelt seconded. The Board unanimously approved.

III. PUBLIC HEARING

a. Variance Request for Permit Approval of an On-Site Wastewater Treatment System with Reduced Setbacks

Michael Whiting disclosed that he is friends with the builders involved in the development of the system. It was determined that this would not cause a conflict in making a fair decision.

Claire Macpherson presented the variance request with the staff recommendation to approve a reduced setback between the soil treatment area (STA) and the dwelling. The house on the property was built in 1969 when OWTS regulations were not as stringent as they are now. The home burned down in 2016 and the property owners want to rebuild on the same location. Upon securing permits for the new house, the property owners became aware that the existing septic system was substandard, and per current regulations, lacks a sufficient set back to the dwelling.

Board members reviewed the documentation provided by staff which provides rationales for staff recommendation. A board member asked for clarification about the proposed barrier between the dwelling and the soil treatment area. Staff described a thick PVC barrier that would prevent waste from getting through it in the event of a system failure.

Michael Whiting moved to approve the variance. Gwen Lachelt seconded. The Board unanimously approved. Ann Bruzzese noted that the system engineer and SJBPH staff wrote exceptionally informative letters and reports to prepare the Board to make a decision. Ann Bruzzese also commented to the family that she is very sorry that they lost their home.

IV. OPEN REGULAR MEETING

V. PUBLIC COMMENT

None

X d. Study Session on Land Applied Septage by Liane Jollon

Liane Jollon discussed the current language regarding disposal of septage in the SJBPH OWTS regulations and in CDPHE's Regulation 43. Staff recommendation for upcoming revision to SJBPH OWTS is to better define "approved site in an approved manner." This then allows utilization of existing variance procedures for requests outside of these.

A board member asked how likely it would be that people would be applying and approved for a variance to be able to dispose of their waste on their own properties.

Staff responded that the likelihood of an approval of a variance would depend on the hardship claimed by the resident or business and the information they provided. The applicant has the burden of proof to demonstrate that the variance is justified and will pose no greater risk to public health and the environment than would a system meeting these Regulations. Board member asked why someone would request a variance for this purpose.

Charlotte Bumgarner, co-owner of Superior Septic in Durango explained to the Board that their septic business is unable to dump waste in Archuleta County, therefore has to transport septage from Archuleta County to Durango. There is only one location in Durango that allows them to dispose of waste and they are unable to haul waste across state lines. Board member asked who monitors the requirements for land applied septage.

Ms. Bumgarner replied that standards are set by the Environmental Protection Agency (EPA). Soil samples are sent to the EPA once a year to monitor the quality of the land that is being used for waste.

Board member asked if this would be an alternative or if it would turn into their typical practice. Ms. Bumgarner stated their company would typically be utilizing land applied septage during the summer months.

Board member asked who is responsible for getting their septic tank emptied.

Ms. Bumgarner stated that residents are individually responsible for hiring a company to service their septic tank. Currently many residents are unaware they are on a septic tank system and they do not get it emptied until their system is backed up and malfunctioning.

Ms. Bumgarner stated that if the City of Durango no longer allowed their company to dispose of septic waste at the City facility, it would take three to six months to get their infrastructure set up to be able to dispose of septage on their property.

Board member asked what percentage of La Plata County uses septic systems. It is believed that around 50% of La Plata County residences have septic systems.

Board member commented that there could be a substantial public health threat depending on the level of compliance with residents maintaining their system.

SJBPH staff commented that in the current staff recommendations for SJBPH's revised OWTS regulation is a plan to implement a required transfer of title program. This will help ensure that property owners are aware that they are on a septic system and provide ongoing community education about maintenance.

Board members agreed that SJBPH staff should continue to move forward with this recommendation to amend septage disposal language and corresponding variance procedure in upcoming revision to SJBPH OWTS regulations.

c. 2018 Budget by Lesley Marie and Liane Jollon

Liane Jollon and Lesley Marie presented the draft 2018 Budget.

Staff reminded Board of budget process and timeline which can be found in current Finance Committee report and reiterated that budget in front of them today is still very much in draft form.

A board member asked if "Unknowns" are reflected in the current budget.

Staff reminded Board that their practice is to only include revenue that is secure during the budgeting process. For example, revenue is considered secure when a contract has been signed, a letter of intent from a funder has been provided, or revenue that is routinely passed from state to local public health in order to perform a core public health service, etc.

Staff discussed revenue sources, county responsibility to proportionally allocate funding based on population size, 2018 priorities, challenges, and unknowns, as well as how discretionary funds are appropriated internally to core services.

VII. STAFF PRESENTATION

a. Nurse Family Partnership by Patsy Ford

Patsy Ford described the purpose and accomplishments of the Nurse Family Partnership program.

Bob Ledger asked when Patsy Ford, NFP Program Manager will be retiring.

She will be retiring October 31st, 2017.

Bob Ledger thanked Patsy for her long service at SJBPH and commented that she has led the department through many accomplishments in her tenure.

Board member asked how long NFP effectiveness is monitored.

Clients “graduate” at two years old but NFP continues monitoring the clients until they are 18 years old.

Board member asked if the seventy-five clients are combined in Archuleta, La Plata, and San Juan Counties.

Yes, this is the total for the program across all three counties.

VI. CONSENT ITEMS

a. Approval of Minutes for meeting held on July 27, 2017

Karin Daniels moved to approve the meeting minutes, Terryl Peterson seconded. The Board unanimously approved. Michael Whiting, Shere Byrd, and Bob Ledger abstained as they were absent at the previous meeting.

VII. ITEMS TO BE CONSIDERED FOR DECISION

a. July 2017 Financial Reports by Finance Committee

Shere Byrd commented that the financials seem to be on track and SJBPH is maintaining a strong financial position. The variances seem to be within reasonable boundaries and we are taking good financial responsibility of the institution.

Michael Whiting moved to approve, Karin Daniels seconded. The Board unanimously accepted the reports.

b. Managed IT Services by Lesley Marie

Lesley Marie requested the Board to renew the IT contract rather than doing an open search and receiving bids from new companies.

Shere Byrd moved to approve the contract, Karin Daniels seconded.

Board member asked where Netforce is based.

They are based in Cortez.

There was no further discussion. The Board unanimously approved.

c. Regional Oral Health Specialist Contract Renewal by Laura Warner

This is the third year of an annual contract renewal for the regional oral health specialist program.

Shere Byrd moved to approve the contract, Terryl Peterson seconded. The Board unanimously approved.

d. Waste Tire Program by Claire Macpherson

SJBPH is requesting the Board to approve a new program to dispose of waste tires. The program is currently managed by CDPHE.

Terryl Peterson moved to approve the new program with the correction of the dates to have the program end in 2018. Michael Whiting seconded. The Board unanimously approved.

e. Resolution to Amend Executive Director Contract by Michael Goldman

Michael Goldman, SJBPH legal counsel, discussed the Executive Director's contract and amending the contract to allow Liane Jollon to attend the Aspen Institute as well as a Master's Program in Homeland Security at the Naval Postgraduate School in Monterey, California.

Liane Jollon discussed the programs and their relevance to the work and values of SJBPH.

Shere Byrd moved to adopt the resolution, Ann Bruzzese seconded. The Board unanimously approved.

VIII. REPORTS

a. Executive Director and Staff Reports by Liane Jollon

Liane Jollon presented the facility and program updates since the last Board meeting.

b. Executive Committee Update by Bob Ledger and Ann Bruzzese

The Executive Committee did not have a current update but will be meeting to assess the Executive Director for her annual review.

X. NEXT REGULAR BOARD MEETING

Thursday, September 28th at 9:00 a.m., Columbine Room, Durango, Colorado

XI. EXECUTIVE SESSION

There was no need for an executive session.

XII. OTHER BUSINESS

For holiday schedules (Nov and Dec), SJBPH staff will send a Doodle Poll to Board members in order to confirm dates and times.

SJBPH conducted an Administrative Hearing for a Cease and Desist Order for failing to connect to sewer service. Liane Jollon presided over the hearing and attorney Michael Goldman represented SJBPH, with Claire Macpherson serving as a witness. Staff is asking for the Board to ratify the Order, which will then be served to the property owner. Board member asked how this came to SJBPH attention.

Neighbors reported waste dumping to La Plate County Code Enforcement, who then contacted SJBPH.

Ann Bruzzese moved to give signatory authority to Board President Bob Ledger and ratify the Cease and Desist Order issued August 29, 2017 for the subject property located at 422 Pine Tree Drive, Bayfield, CO 81122. Shere Byrd seconded. The Board unanimously approved.

XIII. MEETING ADJOURNED at 10:55 a.m.