

SAN JUAN BASIN

public health

MEETING MINUTES

REGULAR MEETING OF THE BOARD OF HEALTH

COMMISSIONERS ROOM

PAGOSA SPRINGS, CO

OCTOBER 26, 2017, 9 A.M.

Attendance: Bob Ledger, Ann Bruzzese, Terryl Peterson, Michael Whiting, Karin Daniels, Gwen Lachelt, and Jeff Robbins, Legal Counsel

I. CALL TO ORDER at 9:05 a.m.

II. APPROVAL OF AGENDA & CONTENT

Karin Daniels moved to approve the meeting minutes, Terryl Peterson seconded. The Board unanimously approved.

III. PUBLIC HEARING

2018 San Juan Basin Public Health Onsite Wastewater Treatment Systems (OWTS) Regulations

Board member explained how the public hearing proceedings will work. Brian Devine reviewed the proposed regulations.

Board members asked about definition for high-level treatment systems and Competent Technicians, as well as clarification on licensing and registration of Competent Technicians. Staff reviewed each as defined by State Regulation 43, and then by SJBPH proposed regulation.

Board member asked about SJBPH OWTS authority. Staff responded SJBPH provides local permits for domestic strength waste that is 2,000 gallons per day or less. Systems serving over 2,000 gallons or industrial waste are permitted by the State.

Board member asked staff to review CDPHE's recommendations and comments and SJBPH's response to each. Staff reviewed the Response to Comments document provided in the Board packet.

Board member asked about feedback from the real estate community about the transfer of title (TOT) program. Staff responded that they have worked closely with real estate community on the proposed timeline and implementation of TOT and that both are pleased with the plan which includes delayed implementation in order to provide more time to train and educate.

Public Comment:

Lisa Jensen of 1252 Loveland Drive in Pagosa asked about continued use of existing lagoons. Staff responded lagoons can stay in place if they pass inspection and are properly permitted.

John Dexter of 199 Sunshine asked about an issue related to a specific permit, rather than commenting on the proposed regulations. Staff explained the permit and approval process as described in the regulations and agreed to visit with him after the meeting to assist with his specific questions

Board member asked if we have a fee for evaluating a system that was installed without a permit. Staff responded that we do not, and the Board of Health can give a fine under statute and regulation. SJBPH can charge hourly service fees if inspecting the non-approved system takes more time than normal to evaluate and bring into compliance.

John Shepard, Archuleta County Planning Director, cautioned that if we are adopting more stringent regulations that SJBPH be able to enforce the regulations. John thanked Brian Devine for his outreach. Board member asked if

Archuleta County also permits OWTS. John responded they provide land use and building permits and require septic permits prior to issuing their permits.

Board member asked if we are situated appropriately in our ability to enforce these new regulations. Staff responded SJBPH's role in TOT and Higher-Level Treatment Systems is primarily oversight and record keeping and we are allowed to charge additional fees for these additional services. If we determine we need additional resources for these new programs, these additional fees can help us to recover our costs fully as required by the Onsite Wastewater Treatment Act.

Staff asked if there are any significant changes that the Board may have at this time. The Board responded, no.

IV. IDENTIFICATION OF POTENTIAL OR PERCEIVED CONFLICTS OF INTEREST

None

V. OPEN REGULAR MEETING

VI. PUBLIC COMMENT

None

VII. STAFF PRESENTATION

a. *Health Insurance Literacy* by Kevin O'Connor

Kevin O'Connor described the purpose of the Health Insurance Literacy program, and provided details surrounding the number of clients we help, and that there are only ~10% of people in La Plata and Archuleta Counties that are still not insured. As part of our last Community Health Assessment, we identified that access to care was important to our counties and sought the opportunity to have a Health Coverage Guide in our agency. Benefits through doing this local public health is we see many of the uninsured population at our agency and this provides us with the opportunity to assist this population.

Board member asked how many total people are enrolled in our region using the Marketplace and does the Department of Health and Human Services enroll people on the Marketplace. Staff responded we can provide a report to the Board with the enrollments and DHHS does not sign people up.

VII. CONSENT ITEMS

a. **Approval of Minutes for meeting held on September 28, 2017**

Terryl Peterson moved to approve the meeting minutes, Ann Bruzzese seconded. The Board unanimously approved.

VIII. ITEMS TO BE CONSIDERED FOR DECISION

a. **September 2017 Financial Reports by Finance Committee**

Lesley reviewed the financial reports. Terryl Peterson commented that the accounts receivable balance is higher than normal and we are keeping an eye on it, and we are discussing requesting a percentage of the balance owed from Health Care Policy and Financing (HCPF).

Michael Whiting moved to approve the meeting minutes, Gwen Lachelt seconded. The Board unanimously approved.

b. **Annual Health Insurance Renewal by Lori Zazzaro**

Board member asked if we have considered an employee health clinic. Staff responded that we have employees in two counties that use different medical facilities.

Gwen Lachelt moved to approve, Michael Whiting seconded. The Board unanimously moved to renew the health insurance plans.

c. **Experimental On-Site Wastewater Treatment System by Brian Devine**

Brian Devine presented the system. Defined that Experimental means it is a product not on the State's approved list and only the Board can approve the system.

Michael Whiting disclosed that he believes these are his neighbors and that will not affect his decision.

Michael Whiting moved to approve, Karin Daniels seconded. The Board unanimously approved.

IX. REPORTS

a. Executive Director and Staff Reports by Liane Jollon

Liane Jollon thanked several of our staff for their hard work.

b. Executive Committee Update by Bob Ledger and Ann Bruzzese

The Executive Committee did not have anything new to report.

c. BOH Election of Officers

Board members discussed developing a procedure around election of officers and board policy on succession. Staff will review the by-laws and bring suggestions to the Executive Committee.

d. 2018 Budget by Lesley Marie

Staff presented the Proposed 2018 Budget. Lesley reported that SJBPH will present the 2018 SJBPH Budget to the County Commissions at 9:00am on October 27th.

e. La Plata County Marijuana Request by Jeff Robbins

Jeff Robbins presented La Plata County's request for an intergovernmental agreement (IGA) between the SJBPH Board and La Plata County to create a marijuana inspection protocol. Board members discussed the request and also discussed how to best determine what the future priority areas are for Environmental Health services and Consumer Protection services. Board members gave direction that due to flat funding from the County and the fact that there are multiple areas of public and environmental health and safety that could be explored, the Board does not desire to enter into an IGA with the County on this issue as this time. Board members gave direction to develop a list of areas where public health issues exist without oversight by SJBPH and that the marijuana inspection issues will be a part of that list.

X. NEXT REGULAR BOARD MEETING

Thursday, November 16th at 9:00 a.m., Columbine Room, 281 Sawyer Drive, Durango CO

XI. EXECUTIVE SESSION

There was no need for an executive session.

XII. OTHER BUSINESS

Gwen Lachelt reported to the Board that individuals in La Plata County were concerned about potential conflicts of interest with Gwen's business trips to Washington, DC. An independent ethics review has found no wrongdoing on Gwen's part.

XIII. MEETING ADJOURNED at 11:45 a.m.