

OFFICIAL RECORD OF PROCEEDINGS

Boulder County Board of Health (BOH) Regular Meeting Boulder County Public Health Auditorium July 11, 2016

BOH Members Present: President Gregg Thomas; Vice President Don Misch, M.D.; and Board Members Sonya Jaquez-Lewis and Jorge DeSantiago. Absent: Board Member Olga Bermudez.

Staff Members Present: Director of Administrative Services Stephanie Martz, Director of Health Divisions Heath Harmon, (retired) Budget Coordinator Sandy O'Connor, Air Quality and Business Sustainability Program Coordinator Pam Milmoe, Oil and Gas Specialist Patrick Murphy, and Business Operations Manager Tammy Golden.

Meeting Called to Order.

President Thomas called the meeting to order at 5:32 p.m.

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

None.

A. Approval of June 13, 2016, Board of Health Meeting Minutes.

Vice President Misch made a motion, which was seconded by Board Member Jaquez-Lewis, to approve the June 13, 2016, Board of Health minutes, as presented. With all Board Members present voting in favor of the motion, President Thomas declared the motion approved. Absent: Board Member Bermudez.

B. Approval of January-May Financial Reports.

Vice President Misch made a motion, which was seconded by Board Member Jaquez-Lewis, to approve the January through May, 2016, financial reports, as presented. With all Board Members present voting in favor of the motion, President Thomas declared the motion approved. Absent: Board Member Bermudez.

ITEM 3. Resolution 2016-03, Approving 2017 Proposed Budget.

Director of Administrative Services Stephanie Martz presented this item and introduced Sandy O'Connor, retired budget manager, who assisted in completing the proposed 2017 budget.

The Board of Health conducted a study session on June 27 to review the proposed 2017 budget. Based on feedback from the study session, staff drafted Resolution 2016-03 that approves BCPH's proposed 2017 budget in the amount of \$15,451,654 for submission to the Board of County Commissioners (BOCC).

Ms. Martz noted that as updated budget information becomes available, the fund balance will be adjusted accordingly to maintain a balanced budget. She said the County will be required to operate at a deficit for several years as a result of expenses incurred from the 2013 flood and because of state-imposed caps on the amount of property tax revenues the county can keep. To help address these chal-

lenges, the County Budget Office implemented a new cap starting this year that will help return the County's reserve fund balance to pre-flood amounts; the cap amount for BCPH for 2017 will be \$117,000. Ms. Martz said the County's goal is to maintain two months of expenditures (16%) in reserve in order to retain its AAA bond rating. She said BCPH strives to maintain 5-6% in its reserve fund.

In addition to the proposed 2017 budget, staff requested Board approval of the following for submission to Boulder County:

- 1) **Boulder Site Space Remodel – \$82,972:** The North Broadway (Iris and Broadway) campus is inefficiently designed and thus is slated for a comprehensive overhaul more than five years from now. In the interim, BCPH would like to request an analysis and remodel of current BCPH space to accommodate short- to medium-term growth in FTE and regular drop-in space. Boulder County Building Services will submit this as a Capital Expenditures Fund (CEF) request; therefore, it will not count against BCPH's \$117,000 cap.
- 2) **Transfer of General Fund Dollars from BOCC Sustainability Program Directly to BCPH (to support EnergySmart Rebate Program) to Decrease Transaction Costs – \$247,000:** In 2015, the BOCC approved funding for three FTE in the Business Sustainability Program as part of BCPH's base budget instead of doing an intergovernmental agreement (IGA). BCPH would like to request that operating and rebate expenses also be funded through the base budget this year instead of through an IGA. This would have no net effect on the County's budget and wouldn't count towards BCPH's cap.
- 3) **1.0 FTE Oil & Gas Specialist – \$83,910:** BCPH would like to convert this employee to 1.0 FTE, fully funded by Boulder County (the position is currently split 0.5 FTE with Boulder County and 0.5 FTE with the City and County of Broomfield). The request is to make the position full-time with Boulder County, co-sponsored by Boulder County Land Use and Parks and Open Space (i.e. only a portion of the position would apply towards BCPH's cap). Broomfield would then hire its own 1.0 FTE own oil and gas specialist.
- 4) **The Works Program Operating – \$54,000:** Demand is high for these program services, so this funding would support operating expenses of BCPH's syringe access program (The Works), including HIV testing supplies, and it would apply towards BCPH's (\$117,000) cap.
- 5) **GENESISTER Operating – \$50,000:** These funds would support operating expenses for the GENESISTER teen pregnancy prevention program. Ms. Martz said there's been a decrease in teen pregnancies, both nationally as well as locally in BCPH's GENESIS Program, so an FTE is being shifted from GENESIS to GENESISTER. This \$50,000 would shift from GENESIS to GENESISTER following the retirement of a GENESIS staff member, and it would apply towards BCPH's cap.

Director of Health Divisions Heath Harmon gave an update on BCPH's strategic plan. He said it's been organized around the areas of focus and core public health services required to be available for all Coloradans. He said BCPH will enhance its ability to provide services and improve community health by applying guiding principles and focusing on cross-cutting, cross-divisional collaboration. BCPH's Management Team held a retreat in 2013 to develop a process for evaluating strengths and gaps in focus areas and identify areas of greater need in the county.

In 2014, Management Team identified agency goals, which were subsequently established as BCPH's 2015 goals and priorities. In 2016 BCPH is refining strategies for defining "health," "core service," and "infrastructure" priorities. Mr. Harmon said "health priorities" are "community-based" and are long-term initiatives where impact can typically be realized in 5+ years. "Core service priorities" are ongoing

efforts to meet Colorado Public Health Act requirements. “Infrastructure priorities” refer to efforts that will improve communication, information technology, and administrative services to further support the work and culture of BCPH.

Vice President Misch made a motion, which was seconded by Board Member DeSantiago, to approve Resolution 2016-03, adopting BCPH’s proposed 2017 budget in the amount of \$15,451,654, and authorizing staff to submit the five funding requests outlined above. With all Board Members present voting in favor of the motion, President Thomas declared the motion carried. Absent: Board Member Bermudez.

ITEM 4. Update on Colorado Supreme Court Decision on Oil and Gas and Its Impact on Boulder County.

Air Quality and Business Sustainability Program Coordinator Pam Milmoie presented this item and introduced Oil and Gas Specialist Patrick Murphy. They said the Boulder County Board of County Commissioners (BOCC) placed a moratorium on processing oil and gas permits in Boulder County in 2012 (it was subsequently extended to July 1, 2018). The City of Longmont had imposed a ban on all oil and gas activities, and the City of Ft. Collins imposed a moratorium on oil and gas development. Both of the municipal restrictions were legally challenged, and on May 2 the Colorado Supreme Court ruled that they were invalid, and both were subsequently overturned.

Since Boulder County was concerned that its moratorium would also be overturned, if challenged, the BOCC rescinded the Boulder County moratorium on May 19 and established a new 6-month moratorium (Resolution 2016-65) to allow staff time to revisit and update Boulder County’s oil and gas regulations (which were originally adopted in December 2013) to properly address new directions and technologies utilized by the oil and gas industry. The BOCC directed County staff to evaluate the following:

- Re-evaluation of expedited and standard tracks for the review of new wells.
- Floodplain protection.
- Impacts and mitigation methods for large-scale facilities, consolidated multi-well pad sites, and ancillary facilities.
- Air quality, including tankless drilling and production.
- Pipelines.
- Water supply and usage for drilling, completion, and operation phases.
- Review of all fees applicable to oil and gas development, including permit review fees and impact fees.

Next steps will include:

- Engagement in the public process regarding the update on regulations and proposed changes.
- Boulder County Planning Commission public hearing (September 14).
- BOCC public hearings (probably occurring in November).

Board Member Jaquez-Lewis asked if the County had regulations to address building on top of plugged or abandoned wells. She was told the wells would need to be properly deactivated, then reviewed and approved by a licensed engineer and the State of Colorado.

BCPH staff members are working on the air quality portion of the County’s regulations, including leak detection and a program for operators. Mr. Murphy said he’s conducted 470 site visits since January 2014, 243 of which were done using an optical gas imaging camera on loan from the Regional Air Quality Council (RAQC). He said the camera detected leaks during 107 of the visits, and 9 spills were reported to the State (2 of them impacted groundwater but were since remediated). Mr. Murphy said he’s been

working with well operators to help improve their oil and gas operations and ensure proper containment during spill cleanups. It's been during these visits that he's seen technology advancements that are being used by industry.

It was noted that Colorado's Regulation 7 (i.e. oil and gas emission requirements) is one of the toughest in the country, and the Environmental Protection Agency (EPA) is loosely basing federal regulations on this Colorado regulation.

There are four ballot initiatives being proposed for the 2016 ballot (i.e. signatures are currently being collected):

1. Initiative 40 – Right to Local Self-Government.
2. Initiative 63 – Right to Healthy Environment.
3. Initiative 75 – Local Control of Oil and Gas.
4. Initiative 78 – Mandatory Setback for Oil and Gas.

Vice President Misch asked about air quality and wildfires and was told, "If you can see and smell smoke, you should avoid outdoor air and close your doors and windows."

Board Member Jaquez-Lewis asked if oil and gas specialists were on staff in any other local counties. She was told Boulder/Broomfield and Gunnison Counties used them, although the specialist in Gunnison County was hired to enforce Colorado Oil and Gas Conservation Commission (COGCC) rules through a memorandum of understanding.

Board Member DeSantiago asked if Boulder County had plans to purchase its own imaging camera. He was told it would be too expensive for Boulder County to purchase its own camera, but the RAQC camera was regularly available for use by Mr. Murphy.

The Board thanked staff for the update.

ITEM 5. Director's Report.

Vice President Misch asked about recent pertussis activity and if the University of Colorado still served as a public point of dispensing (POD) site for distribution of Strategic National Stockpile (SNS) during emergency events. Director of Health Divisions Harmon said the pertussis cases were likely people who became infected because their last pertussis vaccinations had waned. He said CU was also still a POD participant. Vice President Misch said it was interesting that the number of human papillomavirus (HPV) cases has increased.

The Board asked about the ban on sports drinks as well as soda during the Colorado Latino Festival. Director of Strategic Initiatives Susan Motika said sports drinks are marketed as healthy drinks; however, they do contain a lot of sugar.

It was also announced that supporters of a 2-cent/ounce excise tax on sugar-sweetened beverages collected more than 9,000 signatures to place the question on the City of Boulder ballot in November.

President Thomas asked about mosquito activity this summer, and Mr. Harmon said mosquito activity levels have been relatively normal.

ITEM 6. Old and New Business/Announcements.

A. Discussion on Tabled Consent Agenda Items (if any).

None.

B. Old and New Business.

Cold Springs Wildfire: Director of Administrative Services Stephanie Martz said the Board of Health already approved the emergency reserve fund as part of the 2016 operating budget; however, she wanted to alert the Board that it could become necessary for BCPH to access the fund to help pay for recent wildfire response. Board Member Jaquez-Lewis asked which agency funded the emergency shelters and was told Boulder County had agreements in place with several entities that included the school districts and recreation centers. The Red Cross provides food and personal necessities for displaced residents. BCPH dispatched staff to the emergency shelters to evaluate the displaced residents for medical needs.

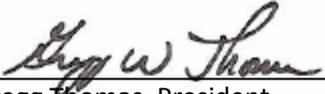
The wildfire was not contained, but progress was being made. Once there is containment, staff will work with affected residents in the recovery stage to educate them and provide guidance on transitioning from an active fire to recovery (e.g. debris disposal, proper cleaning tools and procedures, dealing with spoiled food and power outages, potable water, etc.).

C. Announcements.

Mental Health Meeting: Director of Strategic Initiatives Susan Motika invited the Board to attend a mental health meeting from 11:00-12:30 p.m. on August 17, at Foothills United Way. Mental health organizations will be discussing mental health work beyond Communities of Hope (COH) and expanding collaboration with other governmental entities, nonprofits, etc. President Thomas thanked Ms. Motika and said it would be helpful for staff to provide the Board with a list of upcoming meetings that they would like to have Board representation.

ITEM 7. Adjournment.

There being nothing further to discuss, President Thomas declared the meeting adjourned at 7:10 p.m.



Gregg Thomas, President



Jeffrey J. Zayach, Public Health Director