

OFFICIAL RECORD OF PROCEEDINGS

Boulder County Board of Health (BOH) Regular Meeting Boulder County Public Health Auditorium September 12, 2016

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

Staff Members Present: Public Health Director Jeff Zayach, Director of Strategic Initiatives Susan Motika, Environmental Health Division Manager Joe Malinowski, Finance Manager Julia Ozenberger, Water Quality Program Coordinator Erin Dodge, Environmental Health Specialist Chris Wallis, and Business Operations Manager Tammy Golden.

Special Guest: Paul Niedermuller from the auditing firm of CliftonLarsonAllen, LLP.

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.

ITEM 2. Consent Agenda.

A. Approval of August 8, 2016, Board of Health Meeting Minutes.

Board Member Jaquez-Lewis made a motion, which was seconded by Board Member Bermudez, to approve the August 8, 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: Vice President Misch and Board Member DeSantiago.

ITEM 3. Onsite Wastewater Treatment System (OWTS) Variance Public Hearing: 5216 Fourmile Canyon Drive, Boulder, Colorado.

Environmental Health Specialist Chris Wallis presented this item and said the applicant, Christopher Courtney, was requesting a variance for the location of the onsite wastewater treatment system (OWTS) on his property, which is located at 5216 Fourmile Canyon Drive, Boulder, Colorado.

Mr. Wallis showed photos of the property, which he said did not have an approved OWTS. He said the required setback distance for an OWTS from a property was five feet; however, Mr. Courtney was requesting approval to locate his OWTS two feet from the house. Mr. Wallis said Mr. Courtney's house was currently not occupied. He also said options for locating an OWTS on this property were extremely limited due to the steepness of the property, presence of large boulders, and because a majority of the property was located within the 100-year floodplain boundaries.

Mr. Wallis said BCPH received technical justification from 5280 Septic, LLC OWTS Engineering for the variance request. Alternatives that were considered included:

1. Relocating the primary septic tank and dosing tank further from the residence.

This alternative would move the tanks into the NAVD88 Floodplain Elevation (6680') as set by Boulder County Transportation. A stipulation of the floodplain development permit is that septic tanks must be located outside of the floodplain elevation. Moving the dosing tank downhill from the residence would remove several feet of vertical distance from the outlet of the dosing tank to the soil treatment area (STA), and there wouldn't be sufficient fall for the dosing siphon to pressurize the STA, which is a requirement for an unlined (open bottom) sand filter STA.

2. Relocating the primary septic tank and dosing tank downhill of the residence, adjacent to soil treatment area.

This alternative would also move the tanks into the NAVD88 Floodplain Elevation. This location would also put the tanks in the floodplain and floodway just off Fourmile Canyon Drive and within the road right-of-way. Tanks located in a floodplain would need to be anchored, adding additional cost of a tank (two poly tanks have already been purchased), as well as a pump in lieu of a dosing siphon (already purchased), adding additional electrical costs. Boulder County Transportation had concerns about the STA being located near the road and required a fencing barrier be installed to protect the STA from traffic and snowplow damage. If there is ever any road construction, the tank could incur severe damage.

Mr. Wallis said the proposed location for the OWTS was above the floodplain and out of the right-of-way. He said it would drain to a small leach field and that the engineer did approve the proposed design. Mr. Wallis said staff recommended approval of the variance request, as presented by the applicant.

President Thomas opened the public hearing and asked if anyone present wished to speak on the variance request. There being none, he closed the public hearing.

Board Member Jaquez-Lewis made a motion, which was seconded by Board Member Bermudez, to approve the variance request from Mr. Courtney, as presented. With all Board Members present voting in favor of the motion, President Thomas declared the motion approved. Absent: Vice President Misch and Board Member DeSantiago.

ITEM 4. Presentation of 2015 Financial Audit Report.

Finance Manager Julia Ozenberger presented this item and introduced Paul Niedermuller from the auditing firm of CliftonLarsonAllen, LLP, which conducted the 2015 financial audit.

Mr. Niedermuller said BCPH has received a positive audit with no adjustments recommended by his firm. He said the most significant change identified in the audit was Boulder County's implementation of Governmental Accounting Standards Board (GASB) Statement No. 68. GASB Statement Nos. 67 and 68 require state and local governments to recognize a net pension liability for defined benefit plans of which they are participants. This applies to BCPH and Boulder County due to their participation in the Colorado Public Employees Retirement Association (PERA).

Mr. Niedermuller then reviewed details of the 2015 audit report for Boulder County Public Health. He said BCPH's total assets and deferred outflows of resources, less liabilities and deferred inflows of resources, was \$10,664,370, of which \$10,921,667 was unrestricted. BCPH's government fund reports an ending balance of \$2,825,871, a decrease of \$28,039 from the 2014 year-end balance. He said approxi-

mately 91% of the total amount, or \$2,571,391, was available for spending at the agency's discretion (i.e. unrestricted fund balance).

Mr. Niedermuller answered questions of the Board, and President Thomas thanked him and Ms. Ozenberger for the audit presentation.

ITEM 5. Director's Report.

Immunization Focus Groups: Board Member Bermudez asked about the immunization focus groups, and Public Health Director Jeff Zayach said staff is working with local parent groups to help increase parents' understanding about the importance of immunizations. He said community mobilization was more effective than warnings issued by Public Health. Board Member Bermudez asked if the Latino community was being included, and Director of Strategic Initiatives Susan Motika said staff was conducting bilingual focus groups.

ARC Transition to Mental Health Partners: Board Member Jaquez-Lewis asked if the transition of the Addiction Recovery Centers (ARC) from BCPH to Mental Health Partners (MHP) was now final or if BCPH was still funding substance abuse services. Public Health Director Zayach said those services were officially transitioned to MHP in January 2015. BCPH no longer receives substance abuse funding; however, the agency has received new grants to help offset the loss of administrative indirect funding due to the transition of the ARC.

ITEM 5. Old and New Business/Announcements.

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

None.

B. Old and New Business.

Director of Strategic Initiatives Susan Motika announced that the Strategic Initiatives Branch was developing a close working relationship with CU Law Clinic. She said she initiated a relationship with the clinic while she was working at the Colorado Department of Public Health and Environment (CDPHE). She said BCPH staff was now working with CU Law Clinic law clerks on a variety of issues, including poor water quality at a local mobile home park, healthy eating and active living (HEAL), and DoubleSNAP (Supplemental Nutrition Assistance Program) benefits for WIC (Women, Infants, and Children) Program clients.

She said law clerks have been helping staff conduct research to address health equity concerns stemming from poor tap water quality at San Lazaro Mobile Home Park in Boulder. Residents are concerned because their tap water tastes fishy, so they're reluctant to consume unfiltered water. The law clerks have been researching federal authority, as well as state laws and regulations governing mobile home parks, to help determine scope of legal authority in addressing poor water quality.

C. Announcements.

Invitations:

- **All-Staff Meeting:** Public Health Director Zayach invited the Board to attend BCPH's all-staff meeting in Lafayette on Wednesday, October 6, 2016.
- **Immunization Provider Dinner:** Mr. Zayach also invited the Board to attend the annual immunization provider dinner scheduled for October 20.

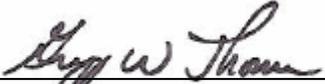
General Announcements:

- Board Member Bermudez said she would be absent for the October 10 Board of Health meeting.

- Mr. Zayach announced that BOH legal counsel Shelley Bailey (assistant county attorney) recently resigned from Boulder County to move closer to her family out-of-state. Assistant County Attorney Mark Doherty will serve as BCPH’s primary legal counsel, including legal representation for the BOH. Another assistant county attorney will be appointed to provide environmental health legal counsel.
- President Thomas said he has worked closely with BCPH Air Quality/Business Sustainability Program Coordinator Pam Milmoie on State Air Quality Control Commission (AQCC) ozone standards as part of his environmental health position at Denver Public Health; however, due to changes at Denver Public Health, he may need to scale back his involvement with ozone standards.

ITEM 6. Adjournment.

There being nothing further to discuss, President Thomas declared the meeting adjourned at 6:48 p.m.



Gregg Thomas, President



Jeffrey J. Zayach, Public Health Director