



**Board of Health Meeting
December 11, 2018
Minutes**

At a public meeting of the Board of Health held at the Comedy Works / Lucy Restaurant, The H4 Room, 5345 Landmark Place, Greenwood Village, CO, there were:

Board of Health Members:

Janice Brainard, RN, Arapahoe County	Present
Thomas Fawell, MD, Arapahoe County	Present
Kaia Gallagher, PhD, President, Arapahoe County	Absent – Excused
Marsha Jaroch, NP, Douglas County	Present
Paulette Joswick, RN, Secretary, Douglas County	Present
Zachary Nannestad, Douglas County	Absent – Excused
Rosanna Reyes, RN, Adams County	Present
Naomi Steenson, RD, Vice President, Adams County	Present

Executive Management Team Members:

Michele Askenazi, Director of Emergency Preparedness, Response, and Communicable Disease Surveillance	Present
Heather Baumgartner, Director of Community Health Promotion	Present
Jill Bonczynski, Director of Nutrition	Present
Ronnae Brockman, Executive Assistant	Present
John M. Douglas, Jr., MD, Executive Director	Present
Theresa Fox, Director of Administration and Finance	Present
Mame Fuhrman, Director of Human Resources	Present
Brian Hlavacek, Director of Environmental Health	Present
Jennifer Ludwig, Deputy Director	Present
Jeanne North, Director of Nursing	Present
Kelly Weidenbach, Director of Planning and Information Management	Present

Call to Order

Ms. Steenson called the meeting to order at 5:07 p.m.

Introductions

Dr. Douglas introduced three new Tri-County Health Department (TCHD) Division Directors: Heather Baumgartner, Director of Community Health Promotion; Kelly Weidenbach, Director of Planning and Information Management; and Penny Grande, Director of Nursing. He also introduced Sid Overton, TCHD's legal counsel.

Adoption of a Resolution in Recognition of Carole Adducci's Service

Ms. Steenson presented a resolution and a plaque to Ms. Adducci in recognition of her dedicated service from January 2010 to October 2018 as an Adams County Representative on TCHD's

Board of Health. All present gave Ms. Adducci a standing ovation. Ms. Adducci stated that it was a pleasure to serve on the Board of Health and that she would miss everyone.

MOTION: Dr. Fawell moved to adopt the resolution recognizing Ms. Adducci's dedicated service. Ms. Joswick seconded and the motion was approved unanimously.

Approval of the Minutes of the October 9, 2018 Meeting

The minutes of the October 9, 2018 meeting were presented to the Board for review.

MOTION: Dr. Fawell moved to approve the minutes of the October 9, 2018 meeting as written and Ms. Joswick seconded. The motion was approved unanimously.

Approval of the Financial Statements Dated September 30, 2018

Ms. Fox presented the financial statements dated September 30, 2018 to the Board. Year-to-date (YTD) revenue through September 2018 totaled \$31.7 million, which was less than budgeted by \$799,000. YTD expenditures through September 2018 totaled \$30.5 million, which was less than budgeted by \$958,000. Overall, the net operating surplus through the month of September was \$734,000.

Finally, TCHD continues to invest a portion of its fund balance with Chandler Asset Management in a \$6 million bond portfolio and has \$5 million invested with JPMorgan Chase in a laddered CD portfolio. TCHD also has approximately \$3.8 million invested with CSafe, which operates similarly to a money market account. Government Accounting Standards Board (GASB) 72 requires investments to be reported at fair value; therefore, market fluctuations can cause a drop in value even though the investment has not been liquidated. Earnings through September 2018 with Chandler were \$24,204 and earnings with JPMorgan Chase and CSafe were \$59,737 and \$56,352 respectively.

MOTION: Dr. Fawell moved to accept the financial statements dated September 30, 2018 as presented and Ms. Joswick seconded. The motion was approved unanimously.

Public Hearing: Adoption of the 2019 Proposed Budget and Appropriation Resolution

Ms. Steenson opened the public hearing for the adoption of TCHD's 2019 proposed budget and appropriation resolution at 5:22 p.m. It was noted that the public hearing was duly advertised in the Legal Notices section of *The Denver Post* on Sunday, November 25, 2018.

Ms. Fox reminded the Board members that a preliminary 2019 budget totaling \$42,449,771 was presented to the Board at the August 14, 2018 meeting. The current 2019 proposed budget has been updated to reflect changes impacting grant revenues and associated expenditures for a new total 2019 budget of \$42,225,883.

Ms. Reyes inquired how legal costs related to the lawsuit against opiate manufacturers and distributors would be covered should TCHD choose to join. Dr. Douglas stated that he anticipates minimal legal costs that would be easily covered by the legal line item in the budget.

Ms. Joswick inquired on feedback from staff on the health insurance change from Cigna to Kaiser. Ms. Fuhrman stated that a staff survey conducted in preparation for our six-month review

with Kaiser was mostly positive. Dr. Douglas explained that TCHD staff would be meeting with TCHD's insurance broker later this week to discuss some care issues.

Dr. Fawell inquired on the amount TCHD saved on insurance premiums by switching to Kaiser. Ms. Fox stated that TCHD saved \$300,000.

Ms. Steenson noted no one from the public was present to speak and closed the public hearing at 5:33 p.m.

MOTION: Ms. Brainard moved to approve the 2019 Proposed Budget and Appropriation Resolution as presented and Dr. Fawell seconded. The motion was approved unanimously.

Approval of Professional Services Agreement Regarding Lawsuit Against Opiate Manufacturers and Distributors

Dr. Douglas introduced *A Resolution Authorizing Tri-County Health Department to Join as a Party Plaintiff in a Lawsuit Against Opioid Drug Producers, Distributors and Sellers, and Authorizing John M. Douglas, Jr., Executive Director, to Execute a Professional Services Agreement on Behalf of Tri-County Health Department* to the Board. He explained that, in late October, he had an email exchange and conversation with Ron Carl, County Attorney of Arapahoe County, about whether TCHD would like to join Arapahoe and Adams Counties in participating in a multi-district lawsuit of counties and cities across the United States against opiate manufacturers and distributors. Although Colorado, along with 40+ other states has entered into a state multi-district lawsuit, the participating Colorado counties and cities felt that they would be more likely to be compensated for the considerable costs the counties have borne since the uptick of the epidemic if they were independent parties to a lawsuit. By analogy, they felt that the residents of their counties would benefit if TCHD joined the lawsuit and, if the suit were successful, receive damage payments.

Per Dr. Douglas, at least nine counties (including Adams, Arapahoe, Boulder, Broomfield, Denver, El Paso, Jefferson, and Larimer) and five cities (including Aurora, Commerce City, and Northglenn) have joined the lawsuit. Douglas County considered, but decided not to join the lawsuit. They do not object to TCHD joining the lawsuit, but want the language to be clear that we are doing so as the health department serving Adams and Arapahoe Counties, and not on behalf of Douglas County. Sid Overton, TCHD's legal counsel, has been part of discussions with the county attorneys and they have reached an agreement on language that would be acceptable to Douglas County.

Dr. Douglas stated that the burden on TCHD in joining is minimal apart from discussions with county attorneys which have already taken place and an assessment of our costs in responding to the opiate epidemic which we would need to provide to Adams and Arapahoe Counties whether we joined the suit or not. If the suit is successful, the expected benefit is uncertain, but probably greater than if we did not take part.

Mr. Overton provided neutral facts about the lawsuit and stated that it would probably be filed in the United States District Court within the next 30 days. He explained that any party to the lawsuit could drop out with a thirty-day notice and that there is an indemnification clause that ensures that TCHD will be held harmless. He stated that TCHD must preserve all documentation that relates to the settlement.

Dr. Fawell inquired whether Board members had reached out to their County Commissioners. Ms. Jaroch stated that she did and that the Douglas County Commissioners' position is that individuals who are addicted to opioids bear a personal responsibility.

Ms. Joswick inquired whether other health departments had joined the lawsuit. Dr. Douglas stated that no other health departments in Colorado had joined; however, TCHD was approached because we are a district health department (e.g., we serve more than one county). Local health departments serve one county and are generally part of their county governments.

Ms. Brainard stated that it is important to consider that we would not be going forward as a complete health department without Douglas County.

Ms. Jaroch stated that this lawsuit would take away from our mission as a health department and that others are responsible for the opioid crises. She also pointed out that no other local health departments are involved in the lawsuit. She stated that she has a philosophical objection to TCHD joining the lawsuit. Ms. Brainard stated that she agrees with Ms. Jaroch's philosophical objection.

Kathleen Conti, Arapahoe County Commissioner, stated that there is well-documented testimony of drug companies hiring lobbyists to go to Washington, DC to testify that opioids weren't addictive. Physicians believed their testimony and prescribed opioids to their patients. She also pointed out that TCHD funds a syringe exchange program with taxpayer dollars.

Ms. Brainard asked how legal counsel would be paid if the lawsuit failed. She pointed out that we could use that money to fund TCHD programs rather than pay legal fees. Mr. Overton stated that legal fees incurred would only be to his law firm. TCHD would incur no debt to Keller Rohrbach, LLP.

Ms. Brainard asked whether there was a way to proceed other than joining the lawsuit. Dr. Douglas stated that TCHD has provided an assessment of our costs related to the opioid epidemic to Adams and Arapahoe Counties and that they might pass some funds on to us if the suit is successful.

Ms. Reyes asked Dr. Douglas whether the cost of the opioid epidemic was higher for TCHD or higher for a county. Dr. Douglas stated that a county's costs would be much higher (e.g., law enforcement, human services, coroner, etc.).

Ms. Joswick stated that most people had been prescribed opioids due to a personal injury and hadn't become willfully addicted. She also pointed out that doctors often prescribe much larger quantities than needed.

MOTION: Dr. Fawell moved to adopt the resolution entitled, *A Resolution Authorizing Tri-County Health Department to Join as a Party Plaintiff in a Lawsuit Against Opioid Drug Producers, Distributors and Sellers, and Authorizing John M. Douglas, Jr., Executive Director, to Execute a Professional Services Agreement on Behalf of Tri-County Health Department*, and Ms. Reyes seconded. The motion passed with Ms. Joswick, Ms. Steenson, Dr. Fawell, and Ms. Reyes in favor and Ms. Jaroch against. Ms. Brainard abstained.

Report from the Board Nominating Committee and Election of Board Officers for 2019

On behalf of the Board of Health Nominating Committee, Ms. Brainard recommended the following slate of Board officers for 2019: Dr. Fawell as President, Mr. Nannestad as Vice President, and Ms. Steenson as Secretary. Ms. Reyes stated that she also wished to run for President.

The nominee for Board President was then determined by secret ballot. Votes were tallied by Ms. Joswick, the current Board Secretary, and the results were: five votes in favor of Dr. Fawell and one vote in favor of Ms. Reyes.

Ms. Joswick stated that she was concerned about Mr. Nannestad's attendance record.

MOTION: Ms. Jaroch moved to accept Dr. Fawell as President, Mr. Nannestad as Vice President and Ms. Steenson as Secretary. Ms. Joswick seconded and the motion was approved unanimously.

Set the 2019 Board of Health Meeting Schedule and Meeting Locations

It was proposed that the Board continue to hold its regular meetings on the second Tuesdays of February, April, June, August, October and December in 2019. All meetings would begin at 4:30 p.m. except the Board's dinner meeting in December, which would begin at 5:00 p.m. Ms. Askenazi asked the Board to consider moving the October 8th meeting since it fell on Yom Kippur. The Board members agreed to move the meeting to October 15th.

Dr. Douglas reminded the Board that, last year, one regular meeting was held in Douglas County and one was held in Adams County. He stated that this change caused confusion and some individuals went to the wrong place. He also stated that offsite meetings were logistically difficult for staff. Following discussion, the Board agreed to hold the February, April, June, August and October meetings at TCHD's Administrative Office and to determine the location of the Board's annual dinner meeting in December at a later time.

MOTION: Ms. Brainard moved to hold regular Board meetings in 2019 on the second Tuesdays of February, April, June, August, and December and hold its October meeting on the third Tuesday of the month. Ms. Brainard further moved to hold the February, April, June, August, and October meetings at TCHD's Administrative Office and to determine the location of the Board's annual dinner meeting in December at a later time. Ms. Joswick seconded and the motion was approved unanimously.

Current Infectious Disease Events

Dr. Douglas provided updates on influenza activity, rabies activity, the continuing hepatitis A outbreak among homeless persons, an outbreak of *E. coli* associated with romaine lettuce in the United States and Canada, and acute flaccid myelitis.

Update on Public Health Improvement Plan Development

Ms. Ludwig informed the Board that the 2019-2024 Public Health Improvement Plan (PHIP) would be presented at the February 2019 Board meeting rather than the December 2018 meeting

as planned. She explained that additional time is needed to engage partners and seek feedback on goals, objectives and strategies to help inform the strategies and actions to include in our PHIP. CDPHE is aware of the revised timeline and there are no negative implications due to the delay. Ms. Ludwig also presented a draft of the PHIP with provisional goals and objectives for each of the four target areas: 1) access to mental and physical health care services, 2) mental health, 3) food insecurity, and 4) housing (developmental).

Update on the Strategic Planning Process

Ms. Ludwig presented the strategic planning timeline that consists of a TCHD staff retreat and external partner engagement in January; the development of two to three architecture proposals in February; and then a Board of Health retreat in March to consider plan architecture and goals. Strategic Plan development will take place from April through July and the final plan will be presented to the Board at the August 2019 meeting.

Recap of TCHD's Elected Officials' Luncheons

TCHD held two Elected Officials' Luncheons in December to discuss public health priorities relevant to Adams, Arapahoe, and Douglas Counties and to discuss how topics arising during the 2019 legislative session could affect these issues. Both luncheons were well-attended and allowed us to engage with elected officials at the state, county and municipal levels.

Executive Director's Report

TCHD Employees Present at State and National Conferences

Over the past three months, TCHD employees have presented at several state and local conferences including the National Healthcare Coalition Conference, the Nurse Family Partnership National Symposium, CityMatCH Maternal and Child Health Leadership Conference, the statewide Public Health in the Rockies conference, the statewide Emergency Preparedness and Response Partnership Meeting, and the Early Childhood Christian Directors Association Statewide Conference among others.

TCHD WIC Participating in a SNAP to WIC Texting Pilot

Participants of Supplemental Nutrition Assistance Program (SNAP), Health First Colorado (Medicaid) and Temporary Assistance for Needy Families (TANF) are automatically adjunctively eligible for the Women, Infants and Children (WIC) program. To help increase enrollment and participation in the WIC Program, the Colorado Department of Public Health and Environment (CDPHE) and Benefits Data Trust (BDT) partnered to cross SNAP and WIC data. Beginning September 5, 2018, BDT implemented a texting strategy for initial outreach to SNAP households with a child under five years of age. When clients reply to an outreach text, their contact information is added to a database that is shared with participating WIC clinics that contact them.

2018 Household Chemical Roundup Event Summary

TCHD facilitates Household Chemical Roundup Programs in Adams and Douglas Counties to provide an outlet for wastes that might otherwise end up in our creeks, stormwater systems, sanitary sewers, and septic systems, or be disposed of illegally. This year, 61,635 pounds of household chemical waste were collected from Adams County residents and 398,518 pounds of household chemical waste were collected from Douglas County residents. Collected materials are recycled when possible and carefully managed in all cases.

Regional Recycling Center

Currently, TCHD is facilitating a steering committee to establish a permanent regional recycling center that would serve Arapahoe and Douglas County residents. The steering committee has met four times over the last year to discuss planning considerations such as location, population served, funding sources and acceptable waste streams.

New Electronic Triangle

TCHD's employee newsletter, the *Triangle*, has been reformatted based on feedback we received from internal focus groups and a subsequent employee survey in 2017. Our employees overwhelmingly requested a shorter, easier-to-read, more frequent newsletter. To accomplish this, a new electronic version of the *Triangle* was developed and will be published every two weeks. The first electronic edition was published on Monday, November 5, 2018.

All-Staff Meeting Recap and Survey Results

TCHD staff gathered on November 14, 2018 for their annual All-Staff Meeting, "Building Healthy Communities," at the Infinity Park Event Center in Glendale. Staff survey results were overwhelmingly positive in terms of the facility and meeting content.

Adams County Private Well Monitoring Program

Oil and gas development continues to be a controversial topic in Colorado. At Adams County's request, TCHD developed a proposal for a program to sample private water wells in Adams County for oil- and gas-related impacts. The proposal, which allows concerned water well owners in Adams County to voluntarily have free private water well testing conducted by TCHD, was approved by the Adams County Board of County Commissioners and officially started in February 2018. Thus far, a total of 41 private water wells have been sampled and no volatile organic compounds (VOCs), which would indicate potential impact from oil and gas activities, have been detected in any of the wells. TCHD staff met with Adams County staff and the Board of County Commissioners in November to review the program and discuss continuing it in 2019.

Update on PFC Groundwater Contamination Issue

TCHD is continuing to work with the South Adams Water and Sanitation District (SACWSD), the Environmental Protection Agency, and CDPHE to find the source of Perfluorinated Compounds (PFCs) in South Adams County groundwater. Meanwhile, SACWSD continues to take steps to minimize PFC levels in drinking water provided to its customers by shutting down some of its shallow source water wells and blending their water with other treated water supplies.

Vape-Free November

After the release of the 2017 Healthy Kids Colorado Survey and national Youth Risk Behavior Survey data which indicated an excessively high prevalence of youth use of electronic smoking devices, the FDA declared vaping an epidemic among youth. Governor Hickenlooper subsequently issued an [Executive Order](#) executive order declaring "Vape-Free November" to raise awareness of the prevalence of vaping among youth and the public health actions that can be taken.

Metro Denver Partnership for Health Climate & Health Equity Workshop

The Metro Denver Partnership for Health (DMPH) brought together public health professionals and partners in an effort to better understand local climate vulnerabilities and explore the role of public health in building regional resilience and health equity. The workshop on November 1, 2018 was the first coordinated regional call to action by Metro Area local health departments.

Public Health Transformation

Over the past several years, discussions have emerged at several levels about how to more sustainably finance public health infrastructure. At the state level, public health leaders in Colorado, spearheaded by the Colorado Association of Local Public Health Officials (CALPHO) and CDPHE, are developing approaches to improve funding for foundational public health services in our state through an effort known as “Public Health Transformation”. Our first step is to clearly define what constitutes these services in Colorado and then to work with a national consultant who has guided similar work in several other states to better assess how well they are funded. This assessment effort is being supported by several foundations as well as a fiscal year 2019 budget proposal to the Legislature by the Governor. TCHD has and will continue to be active in this effort through CALPHO.

At the national level, Dr. Douglas recently participated in an effort by the Public Health Leadership Forum to produce a short white paper, “Developing a Financing System to Support Public Health Infrastructure”, which is being released on December 11th at an event held by the Bipartisan Policy Center in Washington, DC (attached). The paper outlines the importance of public health foundational capabilities as part of the nation’s infrastructure and principles for financing governmental public health, and introduces the concept of a proposed Public Health Infrastructure Fund.

Other Items

None.

Set Agenda for the February 12, 2019 Meeting

The February 12, 2019 agenda will include: 1) approval of the PHIP, 2) identifying Board of Health Budget Subcommittee members, and 3) a review of the 2020 Budget Development Calendar.

Board Member Remarks

Ms. Brainard thanked the Board for engaging in a good discussion regarding the lawsuit against opioid drug producers, distributors and sellers. She also thanked Dr. Douglas and the TCHD staff for all they do to protect the health of our citizens.

Dr. Douglas thanked the Board members for being so extraordinarily helpful to TCHD and for being engaging, caring, creative and hardworking.

Ms. Adducci thanked everyone for the special recognition she received tonight. She stated that she has enjoyed her time on the Board and that she will miss everyone.

Closing Remarks

Ms. Steenson wished everyone a happy holiday season.

Adjournment

The meeting was adjourned at 6:39 p.m. by general consent.

Kaia Gallagher, PhD, President

Paulette Joswick, Secretary