



**Board of Health Meeting  
February 12, 2019  
Minutes**

At a public meeting of the Board of Health, held at Tri-County Health Department (TCHD), 6162 S. Willow Drive, Suite 100, Greenwood Village, CO 80111, there were:

**Board of Health Members:**

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

**Executive Management Team Members:**

Michele Askenazi, Director of Emergency Preparedness, Response and Communicable Disease Surveillance	Absent – Excused
Heather Baumgartner, Director of Community Health Promotion	Present
Jill Bonczynski, RD, 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 the Office of Human Resources	Present
Penny Grande, Director of Nursing	Present
Brian Hlavacek, Director of Environmental Health	Present
Jennifer Ludwig, Deputy Director	Present
Kelly Weidenbach, Director of Planning and Information Management	Present

**Call to Order**

Dr. Fawell called the meeting to order at 4:32 p.m.

**Introductions**

Dr. Douglas introduced Julie Mullica, a Northglenn City Councilwoman and new Board of Health Member representing Adams County. Ms. Mullica replaces Carole Adducci who resigned from the Board in October 2018. All present welcomed and introduced themselves to Ms. Mullica.

Mr. Hlavacek introduced Ellen Kennedy, Household Hazardous Waste Specialist, and Lynn Robbio Wagner, Environmental Health Supervisor. Sara Garrington, Emergency Preparedness and Response Manager attending the meeting on Ms. Askenazi's behalf, introduced Joe Jasperse, Communicable Disease Epidemiologist. Ms. Baumgartner introduced Maura Proser, Public

Health Prevention and Policy Manager, and Heidi Fritz, Community Nutrition Manager. Ms. Weidenbach introduced Brian Clendening, Information Technology Manager. Ms. Bonczynski introduced Michelle Harris, Dietetic Internship Manager, and Judy Fowler, Nutrition Manager. Kathleen Conti, Arapahoe County Commissioner, was also present.

**Approval of the Minutes of the December 11, 2018 Meeting**

The minutes of the December 11, 2018 meeting were presented to the Board for review. Ms. Brainard requested that page four, paragraph four be corrected to state that she agreed with Ms. Jaroch's philosophical objection to TCHD joining the lawsuit against opiate manufacturers and distributors. Ms. Reyes requested that page four, paragraph eight be corrected to state that she inquired on the cost of the opioid epidemic to TCHD versus a county.

**MOTION: Ms. Brainard moved to approve the minutes of the December 11, 2018 meeting with the above corrections and Ms. Jaroch seconded. The motion was approved unanimously.**

**Approval of the Financial Statements Dated November 30, 2017**

Ms. Fox presented the financial statements dated November 30, 2019 to the Board for review. She stated that year-to-date (YTD) revenue totaled \$37.8 million, which was lower than budgeted by \$886,000 and YTD expenditures totaled \$37.0 million, which was lower than budgeted by \$1.4 million. Overall, the actual net operating surplus through the month of November is \$786,000.

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 November 2018 with Chandler were \$52,979 and earnings with JPMorgan Chase and CSafe were \$75,144 and \$71,370 respectively.

**MOTION: Dr. Gallagher moved to accept the financial statements dated November 30, 2018 as presented and Ms. Reyes seconded. The motion was approved unanimously.**

**Review and Approve the Public Health Improvement Plan**

Ms. Weidenbach presented TCHD's 2019-2024 Public Health Improvement Plan (PHIP) for Adams, Arapahoe and Douglas Counties. She described the process used to create the plan and provided an overview of the goals and objectives associated with the three priority areas and the one developmental area included in the plan. These include: 1) access to mental and physical health care services, 2) mental health, 3) health and food, and 4) health and housing (developmental). Finally, Ms. Weidenbach discussed plan implementation and provided a comparison of TCHD's PHIP priority areas to those of other Metro Denver local public health agencies.

Ms. Reyes stated that she has concerns that the list of community partners who helped inform the PHIP didn't include many organizations that serve people of color. Ms. Jaroch pointed out that organizations serving the aging population also weren't included. Ms. Weidenbach stated that she would relay their feedback to her staff.

***ACTION ITEM: Ms. Weidenbach to relay Board member feedback to her team that the list of community partners who were included in the PHIP development process didn't include agencies serving the aging population and also didn't include many that serve people of color.***

**MOTION: Dr. Gallagher moved to adopt TCHD's 2019-2024 Public Health Improvement Plan. Ms. Brainard seconded and the motion was approved unanimously.**

#### **Approve Use of TCHD's Emergency Operating Fund**

Per the Board of Health's adopted GASB 54 Fund Balance Policy, use of TCHD's Emergency Operating Fund Balance requires written communication from TCHD's Executive Director, or designee, and an affirmative vote of two-thirds of the Board.

Dr. Douglas referenced a memorandum to the Board dated February 4, 2019 that was also included in the Board meeting packet. This memorandum requested Board approval to use TCHD's Emergency Operating Fund to pay for WIC Program staff salaries, fringe, and operational costs for up to two months should a prolonged federal government shutdown occur beyond the February 15, 2019 continuing resolution and funds from the Colorado Department of Public Health and Environment (CDPHE) are exhausted. Based on budget forecasts, the cost to TCHD would be approximately \$800,000. Benefits to TCHD and our clients would include reduced staff turnover, minimized client loss due to program uncertainty, continued ability to provide community education and resources, and enhanced ability to quickly resume full services once the government shutdown ends. Although TCHD would not be able to issue food benefits to clients until the shutdown ends, our WIC staff could be productively utilized during this two-month timeframe.

Dr. Gallagher requested clarification on whether any emergency operating funds used would be reimbursed. Dr. Douglas stated that it is unclear whether TCHD would be reimbursed by CDPHE in the event TCHD uses a portion of its Emergency Operating Fund Balance.

**MOTION: Mr. Nannestad moved to approve the use TCHD's Emergency Operating Fund to pay for WIC Program staff salaries, fringe and operational costs for up to two months should a prolonged federal government shutdown occur beyond the February 15, 2019 continuing resolution and funds from CDPHE are exhausted. Ms. Reyes seconded and the motion was approved by all except Ms. Steenson who abstained due to a potential conflict of interest.**

#### **FY 2020 Budget Development Calendar/Determine Board Budget Subcommittee Members**

Ms. Fox presented TCHD's budget development calendar for fiscal year 2020 to the Board. The calendar contains two budget meetings with Board of Health representatives: one in May 2019 to review budget dynamics and justifications for planned budget requests and one in July 2019 to review budget presentation content and approach. Dr. Douglas asked Ms. Fox to add TCHD's annual budget study sessions with our Boards of County Commissioners to the Budget Development Calendar.

The following Board members volunteered to serve on the Board of Health Budget Subcommittee: Ms. Brainard, Dr. Fawell, Dr. Gallagher, Ms. Jaroch, Ms. Mullica, Mr. Nannestad, and Ms. Reyes.

***ACTION ITEM: Ms. Fox to add TCHD's annual Budget Study Session with the County Commissioners, which typically occurs in late August, to the FY 2020 Budget Development Calendar.***

#### **Approve Locations for Posting Public Meeting Notices**

Ms. Brockman informed the Board that C.R.S. 24-6-402(2)(c) requires local public bodies to annually designate the public place or places for posting public meeting notices at their first regular meeting of each calendar year. TCHD posts public meeting notices at each of its eleven offices and on its website.

**MOTION: Ms. Steenson moved to continue posting public meeting notices at each TCHD office and on TCHD's website and Dr. Gallagher seconded. The motion was approved unanimously.**

#### **Affirmation of December 2018 Vote for 2019 Board Officers**

Dr. Fawell informed the Board that Article 3, Section 1 of the Bylaws states that Board officers shall be elected annually at the first regular meeting of each calendar year. Since the Board elected its 2019 officers at the December 2018 meeting, the Board is out of compliance with its Bylaws. Therefore, the Board must now affirm the slate of officers that was elected at the December 2018 meeting: Dr. Fawell as President, Mr. Nannestad as Vice President and Ms. Steenson as Secretary.

**MOTION: Dr. Gallagher moved to affirm the slate of officers for 2019: Dr. Fawell as President, Mr. Nannestad as Vice President and Ms. Steenson as Secretary. Ms. Joswick seconded and the motion was approved unanimously.**

Dr. Fawell stated that he plans to make revisions to the Bylaws, including changing the election of Board officers to the last regular meeting of each calendar year.

#### **Infectious Disease Events**

Mr. Jasperse presented communicable disease surveillance data for 2018; summarized 2018 rabies activity in TCHD's jurisdiction and statewide; and provided updates on the 2018-2019 influenza season, the hepatitis A outbreak among homeless people and those who use drugs, a measles case in Denver County, varicella at a detention facility in Arapahoe County, and tuberculosis in an Aurora middle school.

#### **Update on TCHD's Strategic Planning Process**

Ms. Weidenbach provided an update on TCHD's strategic planning process that included a timeline of planned work and retreat dates. Currently, external key informant interviews and staff focus groups are being conducted and an all-staff survey will be administered later this month. This information will be compiled and used to inform a staff leadership retreat on March 5<sup>th</sup> and a

Board of Health retreat on March 26<sup>th</sup>. In April, the final priority areas will be selected and internal workgroups will be created for plan development. The draft 2019-2024 Strategic Plan will be submitted to TCHD leadership in July and the final plan will be submitted to the Board of Health for approval in August 2019.

### **Update on Permanent Household Hazardous Waste Collection Facilities**

Ms. Kennedy provided an update on the process to establish permanent household hazardous waste collection facilities in TCHD's jurisdiction. Currently, Adams County is transitioning from the TCHD events model to a permanent facility model in 2019. Arapahoe County currently contracts with Waste Management's At Your Door curbside service and Douglas County currently holds three Household Chemical Roundup Events each year. Ms. Kennedy discussed the benefits of permanent facilities which are more convenient for residents, are more cost effective, increase resident participation, and reduce illegal dumping.

The Douglas County Steering Committee first met in January 2018 with Arapahoe County joining in July 2018. The Counties are interested in establishing a joint permanent household hazardous waste collection facility. Current challenges include finding property for a site and securing grant funding through the Recycling Resources Economic Opportunity Grant Program for a consultant.

Ms. Brainard stated that she has lived in Arapahoe County for 30 years and was unaware of the curbside pickup program. Commissioner Conti stated that she would ensure that this information is added to the Arapahoe County Website and is pushed out to the public. Dr. Douglas stated that TCHD would look at this issue and determine how to get this information out to residents. Mr. Hlavacek stated that TCHD could also reach out to Southeast Metro Wastewater Authority, the agency that administers the program in Arapahoe County.

Ms. Mullica stated that the information on Adams County's new permanent facility also needs to be pushed out to residents.

***ACTION ITEM: Mr. Hlavacek and Ms. Kennedy to ensure current household hazardous waste disposal information for our three counties is on TCHD's website and also work with TCHD communications staff and pertinent external partners (e.g., our Counties, Southeast Metro Wastewater Authority, etc.) to ensure this information is widely disseminated to the public.***

### **Legislative Update**

Dr. Douglas provided an update to the Board on several bills of interest in the Colorado State Legislature with particular attention to those related to opioid/substance abuse, tobacco, and retail food establishments.

### **Public Comment on Legislative Testimony Related to House Bill 19-1032**

Several members of the public attended the Board meeting in response to testimony Dr. Douglas provided on Wednesday, January 30, 2019 at the State Legislature in favor of House Bill 19-1032, Concerning Comprehensive Human Sexuality Education. His remarks focused on the importance of comprehensive sex education in helping with public health concerns such as rising rates of sexually transmitted infections and neighborhoods with persistent problems with teen pregnancy.

Dr. Douglas stated that he was invited to testify on the bill as a result of some recent analyses TCHD had done in neighborhoods with persistently high rates of teen pregnancy. Although all of our counties, like Colorado, have seen dramatic reductions in teen pregnancy over the past ten years, these improvements have not occurred evenly across all of our neighborhoods. Our epidemiologic analysis identified “hot spots” of continued high rates and led us to conduct a community engagement process of teens and parents from these neighborhoods about what could be done to help prevent teen pregnancy. One of the strongest recommendations was more and better comprehensive sex education in our schools.

Four members of the public elected to speak against Dr. Douglas’ testimony. They were: Brad Miller, Chief Operating Officer of Colorado Family Action; Kurt Huffman of Douglas County, Kim Munson of Douglas County, and Rigoberto Mendez of Lakewood. Their main concerns were that: 1) Dr. Douglas, by stating that TCHD serves Adams, Arapahoe and Douglas County, implied that his testimony was on behalf of these counties; 2) the bill threatens parents’ right to choose when and how to discuss human sexuality with their children; 3) the bill conflicts with religious tenets; and 4) the bill’s content or lack thereof. Mr. Mendez asked Dr. Douglas to rescind his testimony.

Dr. Douglas stated that his testimony was on behalf of TCHD and public health and that it wasn’t his intent to imply that the Adams, Arapahoe and Douglas County Boards of County Commissioners held the same position. He also explained that his testimony wasn’t written, therefore, there was no way to rescind it. Finally, he agreed to send the report from TCHD’s community engagement process to Ms. Monson.

Ms. Joswick pointed out that the bill allows parents and students to “opt out” of school-provided sex education and also clarified that sex education provided in schools would be age appropriate. Ms. Reyes stated that she applauds and supports Dr. Douglas’ testimony and that it is wrong to exclude groups of students such as those who identify as LGBTQ. Dr. Douglas stated that it is a misconception that the bill takes away local control because the school districts can choose whether or not to provide sex education.

Dr. Fawell stated that the Board of Health holds some fault as there is no policy that addresses legislative advocacy by the Executive Director. He stated that Article 2, Section 3 of the Bylaws of the Tri-County Health Department Board of Health allow the Board to set policy. He then appointed a Board Ad Hoc Committee consisting of Dr. Gallagher (Chair), Ms. Reyes, Ms. Mullica, Mr. Nannestad and Ms. Steenson to draft such a policy.

***ACTION ITEM: Dr. Gallagher (Chair), Ms. Reyes, Ms. Mullica, Mr. Nannestad and Ms. Steenson to draft a policy on legislative advocacy by TCHD’s Executive Director.***

***ACTION ITEM: Dr. Douglas to provide a copy of the report entitled, “Teen Pregnancy Prevention: Listening to teen and parent voices in at-risk areas in Adams and Arapahoe Counties, Denver Metropolitan Area” to Ms. Monson.***

### **Executive Director’s Report**

#### **Upcoming cuts to the Tobacco Grants Program**

According to the legislatively mandated Tobacco Review Committee, there is a need to cut approximately \$1.3 million in Amendment 35 Tobacco Prevention Grant funding for

fiscal year (FY) 2020 and FY2021 due to declining revenue. The current proposal includes a 2.5% cut for local public health agencies; however, there is a chance that TCHD may see a funding reduction in excess of 2.5% along with other larger health departments. Additionally, the statewide Baby and Me, Tobacco Free program may receive a 6% cut. It is unknown how that will affect TCHD since we are a sub-grantee of that statewide contract.

#### **TCHD Awarded Technical Assistance and Funding for Informatics**

TCHD received an award from the Council of State and Territorial Epidemiologists (CSTE) for Advanced Informatics Team Training. The award includes six months of technical assistance and team training for select TCHD staff. Technical assistance will include a team-based project in which staff will create an agency-wide informatics plan to inform the development of informatics work across the department.

#### **TCHD Awarded Technical Assistance and Training for Quality Improvement**

TCHD received an award from NACCHO's Strong Systems, Stronger Communities program for technical assistance and training related to quality improvement. Two TCHD staff will attend training in Washington, DC. Technical assistance will include a team-based project in which TCHD staff will work to integrate and align agency planning efforts with quality improvement efforts.

#### **New Employee Health and Wellness Coordinator**

Jessica Gomez has accepted the new Employee Health and Wellness Specialist position in TCHD's Office of Human Resources. Ms. Gomez has been with TCHD since 2016, working as a Nurse Home Visitor in the Nurse Family Partnership program.

#### **TCHD WIC Offices Open Mothers' Milk Bank Donation and Outreach Centers**

TCHD's Aurora South and Brighton WIC office locations are now Mothers' Milk Bank (MMB) Donation and Outreach Centers. Any mother who is interested in donating her milk must complete a comprehensive medical screening and a blood test.

#### **Sexual Health Clinics**

On October 1, 2018, TCHD's Family Planning Program changed its name to Sexual Health Program and, in addition to family planning services, began offering expanded sexually transmitted infection testing and treatment to clients and their partners at little to no cost.

#### **New TCHD Website and Intranet**

On January 17, 2019, TCHD launched a redesigned website as well as its very first Intranet, called the Employee Link.

#### **Communication Summary**

January media coverage included several news articles and social media mentions that reached an audience of 1,450,768 with 223,920 social followers, for a publicity value of \$29,012.

### **Kaiser Staff Survey Results**

TCHD administered a survey in December to gauge employee satisfaction during our first six months with Kaiser Permanente. This information was crucial in informing our six-month review meeting with Kaiser representatives and will also be considered as we enter annual renewal discussions with Kaiser in February. An employee Benefit Advisory Group, initially made up of Division Directors, has been formed to review and discuss any changes we are considering to the annual renewal packet.

### **GASB Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions**

TCHD complies with Governmental Accounting Standards Board (GASB) statements including GASB #54, which is audited annually. GASB #54 provides five (5) categories for government entities to use as fund balance classifications: Nonspendable, Restricted, Committed, Assigned and Unassigned. As a local government entity, TCHD is required to annually report fund balance by classification depending on the use of resources.

### **Public Health Emergency Operations Plan (PHEOP)**

The purpose of TCHD's Public Health Emergency Operations Plan (PHEOP) is to describe and direct the basic strategies and mechanisms by which TCHD prepares for and responds to incidents. TCHD's EPR staff and other agency subject matter experts annually review and update the plan which is then reviewed by the Executive Management Team and, once approved, signed into effect for the next calendar year. The PHEOP was once again signed in January of 2019.

### **Commerce City Office Move on the Horizon**

A portion of the former Adams County Human Services Building, across the street from the current TCHD facility in Commerce City, was sold on December 7, 2018. Adams County still owns the basement, first, and second floors and is planning to relocate TCHD's Commerce City office to this building. They will hire an architect in 2019 to plan the space and construction and occupancy is planned for 2020.

### **Update on Opiate Lawsuit**

In follow-up to the discussion and resolution at the December Board meeting authorizing TCHD to join as a party plaintiff in a lawsuit against opioid drug producers, distributors, and sellers, we signed a Professional Services Agreement and were included in the Complaint Summary representing 17 Colorado local governments that was filed in U.S. District Court on January 11, 2019. We have been advised to preserve TCHD records regarding costs or impact of opioid use on TCHD or its residents and have set up a process to do so.

### **Update on PFC Groundwater Contamination Issue**

TCHD is continuing to work with the South Adams County Water and Sanitation District (SACWSD), the Environmental Protection Agency (EPA), and CDPHE to find the source of the Perfluorinated Compounds (PFC) in groundwater in South Adams County. More information can be found on TCHD's [website](#).

**Other Items**

None.

**Set Agenda for the April 9, 2019 Meeting**

The April 9, 2019 meeting agenda will include a reception and awards ceremony to honor TCHD's Public Health Heroes of the Year. Board members will also vote on proposed changes to the Board Bylaws and adopt a policy on legislative advocacy by the Executive Director.

**Board Member Remarks**

None.

**Closing Remarks**

None.

**Adjournment**

**MOTION: Ms. Brainard moved to adjourn the meeting at 6:50 p.m. Ms. Jaroch seconded and the motion was approved unanimously.**

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Thomas Fawell, MD, President

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Naomi Steenson, Secretary