

**Tri-County Board of Health Meeting
April 14, 2009
Minutes**

Board of Health was officially called to order at 4:31 p.m. by Thomas Fawell, M.D., Board President, at Tri-County Health Department (TCHD), Administrative Office, 7000 E. Belleview Avenue, Suite 370, Greenwood Village, Colorado, 80111. Other members comprising a quorum included Ruth Fischhaber, Janice Brainard, Paulette Joswick, Nick Robinson, and Joseph Anderson, M.D. Kaia Gallagher, Ph.D. arrived later. Dr. Richard Vogt, Executive Director, and several TCHD employees were also in attendance.

Introductions

Dr. Vogt announced that Tom Butts is now officially the Director of the Environmental Health Division.

Approval of the Minutes of the February 10, 2009 Meeting

The minutes of the February 10, 2009 meeting were presented to the Board for review.

MOTION: Ms. Joswick moved to approve the minutes of the February 10, 2009 meeting as written and Ms. Brainard seconded. The motion was approved unanimously.

Approval of the Financial Statements Dated February 28, 2009

The financial statements dated February 28, 2009 were presented to the Board for review.

MOTION: Ms. Fischhaber moved to accept the financial statements dated February 28, 2009 as presented and Mr. Robinson seconded. The motion was approved unanimously.

Public Hearing

Dr. Fawell opened the public hearing at 4:47 PM regarding the adoption of the proposed Environmental Health fee changes. The public hearing was duly advertised in *The Denver Post* on March 15, 2009.

Tom Butts, Director of Environmental Health, explained that, pursuant to C.R.S. 25-1-507(1)(h), C.R.S. 25-1-709(1)(b), and C.R.S. 25-10-107(1), the TCHD Board of Health may assess fees equal to actual and direct costs. In 2005, Environmental Health reviewed major programs to adjust fees to recoup actual and direct costs using a formula adopted by the Board of Health. In 2009, this formula was again used to review the majority of program fees.

Mr. Butts summarized the proposed fee changes and informed the Board that, now that the financial books have been closed for December 31, 2008, the numbers reflected represent actual cost and revenues, therefore some of the cost calculations vary from those presented at the February 10, 2009 Board of Health meeting. If adopted, the new fees would become effective July 1, 2009.

Mr. Robinson noted that proposed fees for land use plan reviews, methamphetamine lab inspections and certified pool operator courses were significantly lower than TCHD's actual costs. He stated that TCHD should recoup its costs for programs that are not capped by state statute. Mr. Butts explained that our counties indicated they would not renew their agreements with us if we increased land use plan review fees. Secondly, our actual cost for certified pool operator courses is \$354 per student; however, charging this amount would price us out of the market. Finally, TCHD based methamphetamine lab clean-up costs on three years of data to eliminate the extreme fluctuation in fees that has occurred the past few years.

Dr. Fawell inquired whether TCHD has ever received complaints following the implementation of new fees. Dr. Vogt stated that we have only received complaints once or twice in the past. Mr. Butts explained that we make every effort to notify affected agencies prior to the public hearing.

Dr. Anderson speculated that the \$745 methamphetamine lab inspection fee could cause some property owners to not contact TCHD. Mr. Butts stated that a methamphetamine lab clean-up can be performed without our fee; however, having us certify that methamphetamine levels following remediation are in accordance with the state regulation protects the landlord from future liability. Dr. Fawell asked how many methamphetamine clean-ups we had in 2008. Brian Hlavacek, Environmental Health Manager, stated that there were 25 last year and that this number has been decreasing.

Dr. Fawell noted that no one from the public was present to speak on this issue and closed the public hearing at 5:03 p.m.

MOTION: Ms. Joswick moved to adopt the proposed Environmental health fees. Ms. Fischhaber seconded and the motion was approved unanimously.

Resolution to Reappoint the TCHD Public Health Officer

Dr. Vogt presented resolutions from each of our three counties re-establishing TCHD as their district public health agency. He explained that the next step in the public health reauthorization process required the Board to appoint a Public Health Director and Medical Officer for TCHD.

MOTION: Mr. Robinson moved to appoint Richard L. Vogt, M.D. as the Public Health Director and Medical Officer of Tri-County Health Department. Ms. Joswick seconded and the motion was approved unanimously.

Resolution to Adopt the Amended and Restated Bylaws

Dr. Vogt informed the Board that the final step in the public health reauthorization process was to adopt the Amended and Restated Bylaws of the Board of Health of the Tri-County Health Department. Dr. Fawell explained that the Bylaws were changed to bring them into accordance with the new Public Health Reauthorization Act.

MOTION: Ms. Brainard moved to adopt the Amended and Restated Bylaws of the Board of Health of the Tri-County Health Department. Ms. Fischhaber seconded and the motion was approved unanimously.

Community Collaboration Report

Stacy presented TCHD's Community Collaboration Report to the Board. She reminded the Board members that they had requested this information at their Retreat in January 2009.

Ms. Fischhaber thanked the executive staff for their efforts and noted that the number of community collaborations was impressive.

Board of Health Talking Points

Dr. Vogt reminded the Board that, at their Retreat in January 2009, they had expressed interest in periodically meeting with their respective County Commissioners on TCHD's behalf. He presented data-based talking points to assist the Board members in this endeavor. Dr. Vogt pointed out that historically,

our counties' financial contribution has not increased proportionately with the public's demand for services.

Dr. Gallagher noted that data for some programs was not broken out by county. Dr. Vogt explained that it is difficult to do this for some programs because the patient's county of residence differs from the clinic location where the service was provided.

Dr. Gallagher stated that TCHD should provide data to quantify why it is especially vital to invest in public health at this time. She suggested that Dr. Vogt provide data from the past six months to demonstrate that TCHD is the safety net for a rapidly increasing number of families.

Dr. Fawell suggested that Dr. Vogt compare the first quarter of 2008 to the first quarter of 2009 to determine whether TCHD has seen an increased demand for services. Dr. Vogt agreed to attempt to provide this data.

ACTION ITEM: Dr. Vogt to compare data from the first quarter of 2008 to the first quarter of 2009 to determine whether there is an increased demand for services.

Dr. Anderson noted that the number of patients receiving breast and cervical cancer screening is very small compared to those receiving other services such as immunizations, WIC, etc. Dr. Vogt stated that this is a perfect example of why TCHD needs more resources. Breast and cervical cancer screenings are very expensive to perform and are limited by the amount of money received through grants.

Calendar of Events for the Board of Health

Dr. Vogt presented an annual events calendar and the 2010 budget development calendar to the Board.

Update from the Public Health Reauthorization Act Advisory Group

Stacy gave a recap of the Public Health Reauthorization Act Advisory Group meeting where she learned that the workgroup structure set up prior to the Public Health Summit has been set aside. Instead initiating workgroups, each consisting of three to five people, will compile a straw man document for each area (i.e., public health indicators, funding, marketing, etc.) by the end of June 2009. Stacy will chair the marketing workgroup and Dr. Vogt is a member of the funding formula workgroup. Next, CALPHO will lead critical input vetting sessions over the summer. This is when local health agencies and their Board of Health members can get involved. Finally, a summit will be held on September 30, 2009 to look at a near final version of the public health improvement plan that results from this process.

Legislative Update

Bruce Wilson, Deputy Director, informed the Board that TCHD does not yet know how proposed budget cuts will affect public health agencies. Next, he provided a legislative update on the following bills:

Senate Bill 09-060, Illegal Drug Laboratory Testing: This bill proposes the following amendments to the current methamphetamine statute: 1) adds areas where methamphetamine has been used to the definition of illegal drug laboratory, 2) gives the state Board of Health the power to promulgate health-protective rules that establish procedures for the testing and evaluation of methamphetamine contamination as well as acceptable standards of cleanup, and 3) allows property buyers to terminate the contract with the seller should the buyer's test results indicate that a property contaminated with methamphetamine has not been remediated to meet the standards established by the state Board of Health.

Senate Bill 09-179, Communicable Disease Control: Governor Ritter has signed this bill. It adds HIV to the list of standard serological tests performed on pregnant women. It also allows a health officer to detain a person who is the subject of an isolation order without a prior court order; however, the person must be advised of their legal rights.

Senate Bill 09-223, Retail Food Establishment Inspections: Increases the fees for retail food establishments and creates a grievance process for food establishment licensees who believe that a county or district public health agency is taking action outside of its authority.

House Bill 09-1091, Carbon Monoxide Alarms in Residential Properties: Governor Ritter has signed this bill. It requires operational carbon monoxide alarms to be installed within 15 feet of bedroom entrances in residential properties that have a fuel-fired heater or appliance, a fireplace or an attached garage. The bill is effective July 1, 2009 for any property for sale, transfer, rent, etc. It also applies to any new construction or any remodel/repair of existing property that requires a permit.

Report on the Division of Wildlife Coyote Symposium

Dr. Vogt announced that over 300 city managers, law enforcement officials, etc., attended the Division of Wildlife (DOW) Symposium on February 11, 2009. The general public was not invited. The message was that it is impossible to eliminate coyotes from a community once they have established themselves. The best approach is to educate the public to protect their pets, remove food sources, conduct hazing exercises, and report aggressive behavior to law enforcement and the DOW immediately. The DOW will respond to incidents and attacks on humans (not pets). Dr. Vogt's presentation was on Amendment 14 and TCHD's role in issuing leghold trapping permits.

NACCHO Conference Report

Dr. Vogt attended the Annual National Association of County and City Health Officials (NACCHO) Conference in March 2009. He announced that NACCHO has a new Executive Director, Robert Pestronk and that NACCHO plans to change direction and become an advocacy agency for public health resources. Also, the economic stimulus package passed by the U.S. Senate and House contains \$1 billion for prevention and wellness activities. Finally, over 11,000 public health workers have lost their jobs in the past 11 months and that number continues to rise. Dr. Vogt is doing his best to avoid layoffs at TCHD.

The Public Health Accreditation Board (PHAB) has released draft standards for voluntary state, local, and territorial health department accreditation for public comment. TCHD has participated in the vetting process. The PHAB will revise the standards based on feedback received. Following this revision, an 18-month beta test of the full accreditation process will take place beginning in late summer of 2009, and will result in further refinement of the standards and the process. It is anticipated that the accreditation process will begin in earnest in 2011.

Annual NALBOH Conference

Dr. Fawell reminded the Board members that the 17th Annual National Association of Local Boards of Health (NALBOH) Conference would be held in Philadelphia, Pennsylvania, July 1-3, 2009.

Executive Director's Report

WIC Budget Increase

TCHD's Women, Infant's and Children (WIC) program received over \$900,000 in additional funding

which will enable us to serve more people. The Nutrition Division is hiring additional staff to handle the increased caseload. This money must be spent by September 30, 2009.

Increase in Komen Grant Funding

In late February, the Susan G. Komen Breast Cancer Foundation Denver Metro Affiliate notified the Women's Cancer Screening program that TCHD was awarded grants totaling \$143,530 for their next grant cycle of April 1, 2009 through March 31, 2010. The grant review process is competitive and in the past TCHD has been awarded only \$60,000. Because we screen such a large population of women for breast cancer, the Komen Foundation suggested that TCHD apply for three separate grants to serve all three counties instead of TCHD as a whole. Since we were awarded a grant for each county, we will be able to serve even more women this year.

Early Childhood Building Blocks Training

On March 7, 2009, 325 child care providers attended the Building Blocks for Healthy Kids training, a collaborative effort between the Colorado Department of Health and Environment (CDPHE), Colorado Physical Activity and Nutrition (COPAN), Child and Adult Care Food Program (CACFP) and Tri-County Health Department. This all-day training featured keynote speaker Maryanne Neifert, M.D. (Dr. Mom) as well as speakers from Adams County Head Start, CACFP, WIC, USDA Food and Nutrition Services, and many other agencies. Building Blocks was made possible by a grant from CDPHE (COPAN) and the Tri-County Health Department Nutrition Division to provide quality nutrition and physical activity training at a reasonable cost to child care providers in the Denver Metro area. Carrie McConnell of the Nutrition Division planned and coordinated the training.

TCHD Involvement in 9Health Fairs

The 9Health Fairs will be held April 18-24, 2009. As in past years, the various 9Health Fair sites around our region are permitted to invite us to staff a table; we cannot approach them to request a table. This year we have been contacted by five sites. We will staff a table with a large tabletop display and two laptops – one displaying our website and another running our “lobby commercial.” We will have an assortment of brochures and handouts on a variety of public health topics and TCHD services.

Household Chemical Roundups for 2009

Household Chemical Roundups have been scheduled for 2009.

Adams County Household Chemical Roundups are open to Thornton, Commerce City, Brighton, Federal Heights and unincorporated Adams County Residents and will operate 9:00 a.m. – 3:00 p.m. on following dates:

- *Saturday, May 2, 2009 at Hyland Hills Water World, 1850 W. 89th Avenue, Federal Heights*
- *Saturday, September 19, 2009 at Thornton IMC Facility, 12450 Washington Street, Thornton*

Electronic Waste will be collected at both Adams County events with fees as listed: Computer monitor - \$8, any size TV - \$15, All other electronics - \$0-\$2 depending on size.

Douglas County Household Chemical Roundups are open to all residents of Douglas County and will operate 9:00 a.m. – 3:00 p.m. on the following dates:

- *Saturday, April 25, 2009 at the Parker Joint Service Facility, 17801 E. Plaza Drive, Parker*
- *Saturday, August 8, 2009 at Shea Stadium, 3270 Redstone Park Circle, Highlands Ranch*

- *Saturday, September 12, 2009 at Castle Rock Utilities, 175 Kellogg Court, Castle Rock*

Space Planning Update

On March 27, 2009, Studley Real Estate Company presented 15 possible properties in the general area of the Belleview Office for our consideration. They are all "B" buildings and fit within our budget. Currently, vacant office space is so abundant that many property owners are willing to make concessions. In at least one case, the property management company has lowered the lease rate by several dollars per square foot from their original quote a few months ago.

On April 16, 2009, a small group of senior management staff will tour these properties and narrow the choices down to six or less. Studley will solicit Requests for Proposals from these property owners and then the full Executive Management Team will tour the best sites. Finally, Studley will work with the top two to three property owners to get the best deal.

Set Agenda for the June 9, 2009 Meeting

The following items will be on the agenda for the June 9, 2009 Board of Health meeting: 1) the draft auditor's report, 2) budgetary dynamics for 2010, and 3) an update on the Public Health Reauthorization Act Advisory Group.

Board Member Remarks

None.

Closing Remarks

Dr. Fawell asked the Board members to attend a executive session following the meeting.

Next Meeting

The next meeting of the TCHD Board of Health will be held on Tuesday, June 9, 2009 at 4:30 P.M. at Tri-County Health Department, 7000 E. Belleview Avenue, Suite 370, Greenwood Village, Colorado 80111.

Adjournment

MOTION: Ms. Fischhaber moved to adjourn the meeting at 6:18 p.m. and Dr. Gallagher seconded. The motion was approved unanimously.

Thomas Fawell, M.D., President

Ruth Fischhaber, Secretary