

**Tri-County Board of Health Meeting
February 12, 2008
Minutes**

Board of Health was officially called to order at 4:04 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 Joseph Anderson, M.D.; Ruth Fischhaber; Nick Robinson; Janice Brainard; Paulette Joswick; and Kaia Gallagher, Ph.D. Dr. Richard Vogt, Executive Director, and several TCHD employees were also in attendance.

Introductions

Lloyd Williams, Director of the Environmental Health Division, introduced Tiffney Jones, Administrative Analyst for Environmental Health. Anne Bennett, Director of the Nutrition Division, introduced Jennifer Schneider, Nutrition Coordinator; Samantha Decker, Nutritionist; and Phyllis Holtan, Administrative Assistant. Dr. Vogt introduced Barb Stone, Public Health Planner.

Approval of the Minutes of the December 11, 2007 Meeting

The minutes of the December 11, 2007 meeting were presented to the Board for review.

MOTION: Ms. Joswick moved to approve the minutes of the December 11, 2007 meeting as written and Ms. Brainard seconded. The motion was approved unanimously.

Approval of the Financial Statements Dated December 31, 2007

Dr. Vogt presented the financial statements dated December 31, 2007 to the Board. He explained that this was an early determination of fiscal year 2007; however, TCHD expects to finish the year under budget. Remaining funds will be used as 2008 revenue.

Ms. Brainard inquired why the cell phone line item was at 177.9% of the budget. Robert Browning, Director of the Administration and Finance Division, explained that an increased number of employees are required to be reachable 24/7 for emergency response purposes. TCHD must provide cellular access to these employees.

Dr. Gallagher inquired whether TCHD's vacancy savings was due to positions not being filled and asked whether any positions were on hold. Dr. Vogt stated that we have positions that have either not been filled or are in transition due to turnover. There are no positions on hold at the present time. Sometimes it takes several months to fill a position.

MOTION: Ms. Fischhaber moved to approve the financial statements dated December 31, 2007 as presented. Mr. Robinson seconded and the motion was approved unanimously.

Public Hearing Request: Proposed Environmental Health Fee Changes

Lloyd Williams, 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. TCHD recalculates Environmental Health program fees annually based on this formula.

Mr. Williams presented the proposed fee adjustments to the Board for review and summarized the following major changes:

Body Art Establishment Inspection Fees: Proposed decrease from \$380 to \$245 annually due to no employee turnover in this program. Mr. Williams would also like the Board to allow a \$40 per hour fee to inspect temporary body art establishments at events.

Child Care Center Mail-In Inspection Fee: Proposed increase from \$65.00 to \$80.00 per inspection. Additionally, the inspection frequency would increase from every two years to annually due to increased disease outbreaks in child care centers in 2007.

Child Care Center On-Site Inspection Fee: Continue with the tiered fee schedule; however, the Environmental Health portion of the inspection fee will increase from \$200 to \$240. This will increase the \$500 cap for centers with more than 250 children to \$540 annually. The immunization review portion of the fee will be \$40 per hour (calculated based on 30 minutes per 25 children with a 60 minute minimum). This year, TCHD will not bill centers if additional immunization review time is required, nor will TCHD provide refunds to centers if less time than billed for is used.

Pools and Hot Tubs/Spas Inspection Fee: Proposed fee increase from \$120 to \$255 per pool. Proposed fee decrease from \$60 to \$40 per hot tub/spa. Environmental Health will charge by body of water rather than by facility in 2008. For example, a facility with two pools and one hot tub will be charged a fee of $\$255 + \$255 + \$40 = \550 . Inspections will be performed twice annually. Fees have increased due to the change in inspection frequency.

Certified Pool Operator: Proposed increase from \$205 to \$275 per student, which is right in the middle of what the National Swimming Pool Foundation recommends for these courses. Our actual cost is \$490 per student; however, charging this amount would price us out of the market. TCHD schedules four classes per year.

Methamphetamine Laboratory Inspections: Proposed fee decrease from \$715 to \$680.

Individual Sewage Disposal System – Loan Approval: Proposed fee increase from \$315 to \$485.

Individual Sewage Disposal System – Repair: Proposed fee increase from \$580 to \$890.

Individual Sewage Disposal System – Repair/Expansion with Variance: Proposed increase from \$750 to \$1,000. TCHD's actual cost is \$1,153; however, the permit fee is capped at \$1,000 by state statute.

Individual Sewage Disposal System Permits – New: Proposed increase from \$995 to \$1,000. TCHD's actual cost is \$1,530; however, the permit fee is capped at \$1,000 by state statute.

Individual Sewage Disposal System Permit – New with Variance: Permit fee will remain at \$1,000. TCHD's actual cost is \$1,538; however, the permit fee is capped at \$1,000 by state statute.

Plan Review Fees – Land Use (Levels 1 through 6): All levels of land use plan review fees would increase slightly. Plan review fees are billed to the applicable county, which in turn passes this charge on to the customer.

Mr. Williams requested a public hearing be held at the April 8, 2008 meeting to review the proposed fee changes and to approve the Environmental Health fee schedule for 2008. He explained that the TCHD

financial books have not been closed for December 2007, therefore the numbers presented are an estimate based on October 2007 financial statements. This could result in a slight adjustment to the proposed figures before the notice of public hearing is posted next month.

Dr. Gallagher inquired whether the tiered fee schedule has proven to be a burden on child care centers. Mr. Williams responded that he doesn't believe so. Ms. Joswick inquired whether the total base fee for child care centers included the environmental health inspection and nursing's immunization records review. Mr. Williams answered affirmatively.

MOTION: Ms. Brainard moved to hold a public hearing to consider the adoption of the proposed environmental fee changes as finalized at the April 8, 2008 meeting. Dr. Gallagher seconded and the motion was approved unanimously.

Report from BOH Nominating Committee

On behalf of the Nominating Committee, Dr. Gallagher recommended that the following individuals serve as Board officers for 2008: Dr. Fawell as President, Mr. Robinson as Vice-President, and Ms. Fischhaber as Secretary.

MOTION: Dr. Gallagher moved to accept the slate of officers and Ms. Joswick seconded. The motion was approved unanimously.

Finalize the Board of Health Meeting Schedule for 2008

The Board members discussed whether or not to have a Board retreat in 2008.

Dr. Gallagher stated that she would like regular updates on the progress made towards meeting the Board goals and objectives developed last year. If work requiring a retreat is identified, we could schedule a retreat at that time. She stated that it is unclear to her beyond that what the value of a retreat might be.

Ms. Joswick stated that she would like the Board to consider having the retreat during working hours should one be deemed necessary.

CONSENSUS: The Board members agreed to hold regular meetings at 4:00 PM on the second Tuesday of February, April, June, August, October and December 2008. No annual retreat will be scheduled at this time.

Selection of an Auditor

Deb McBride, Administrative Coordinator, summarized the request for proposal (RFP) process and presented a comparison of the three audit firms. She recommended that the Board act on one of the following options:

- Authorize a contract with Clifton Gunderson based upon their proposal
- Authorize negotiation of a sole source contract with BKD, LLP
- Authorize reinstatement of the recently terminated contract with Jaspers + Hall, PC

Dr. Gallagher inquired on the timeliness issue that led to the termination of our contract with Jaspers + Hall, PC. Robert Browning, Director of the Administration and Finance Division, explained that Jaspers + Hall, PC met all agreed upon deadlines as specified in the contract. The timeliness issue occurred on a

requested follow-up project that was not part of the contract. Ms. Joswick stated that she still had reservations due to Jaspers + Hall's non-responsiveness. Dr. Anderson asked whether the timeliness issue was worth paying \$45,000 to \$55,000 more to go with another audit firm.

MOTION: Dr. Anderson moved to reinstate TCHD's recently terminated contract with Jaspers + Hall, PC and Ms. Fischhaber seconded. The motion was approved unanimously.

Dr. Vogt informed the Board that TCHD did not have a firm commitment from Jaspers + Hall, PC that they would actually enter into a sole source agreement. He recommended the Board select one of the remaining two firms as a back-up.

Dr. Vogt pointed out the negative references for Clifton Gunderson and stated that TCHD had some negative experiences with them in the past. Ruth pointed out the turnover issue with BKD, LLP. Dr. Gallagher stated that she has used BKD, LLP in the past and was unimpressed. Some BOH members agreed that neither firm looked like a good option.

Dr. Anderson asked whether we could put a penalty clause in the contract. Mr. Browning stated that we might be able to, but he has never seen it done. Mr. Robinson stated that perhaps we could include an incentive clause rather than a penalty clause.

MOTION: Ms. Fischhaber moved to contract with Clifton Gunderson for audit services should Jaspers + Hall, PC decide against entering into a sole source agreement with TCHD. Mr. Robinson seconded and the motion was approved unanimously.

In conclusion, Ms. McBride informed the Board that she and the following TCHD employees had served on the audit proposals review committee: Travis Holtan, Purchasing Technician; Phyllis Holtan, Administrative Assistant; Judie Willden, Controller; and Lloyd Williams, Director of the Environmental Health Division. Dr. Fawell thanked this group for their efforts.

Update on the Branding RFP

Stacy Weinberg, Director of the Epidemiology, Planning and Communication Division, informed the Board that the request for branding services proposal was released a few weeks ago. Gary Sky, TCHD's Public Information Officer, e-mailed our RFP to the firms that do this type of work. We also advertised publicly in the Legal Notices section of the *Denver Post*. The deadline for receipt of questions was Monday, February 11, 2008 and proposals are due March 3, 2008. Ms. Weinberg stated that she is expecting a good response.

Once TCHD receives the proposals, Ms. Weinberg will invite Visibility Committee members (and any other interested Board members) to participate in the review process. The Board will be notified when a firm is selected.

Executive Director's Report

Presumptive Eligibility

From August to December 2007, the Nursing Division entered into a pilot project with the Adams County Department of Human Services (ACDHS) to place an Adams County Medicaid technician in the Northglenn office 20 hours a week. The goal of the pilot project was to decrease the amount of time it took for Medicaid applicants to receive approval of their Medicaid coverage. Since families are unable to access medical care for prenatal and child care until their Medicaid is approved, this pilot proved to be

extremely successful. Prior to the pilot, the average time it took to have families approved was 45 to 60 days. During the pilot, approval time decreased to two to five days.

Because this pilot has been such a success for increasing access to care, the Nursing Division is making this a permanent contract with ACDHS and is exploring replicating the program in both Arapahoe and Douglas Counties.

POD Squad After-Action Report Postponed

Release of the Colorado Department of Public Health and Environment (CDPHE) Point of Dispensing (POD) Squad After-Action Report (AAR) was delayed from January 3, 2008 until January 25, 2008. Due to this development, CDPHE extended the local / Regional POD Squad AAR deadline by one month to February 17, 2008. Tri-County Health Department is taking that extra time to do additional refinement of its AAR, both internally and with the partners (Douglas County and Thornton) who worked so well with us to operate our two influenza vaccination clinics. The AAR will address Department Operations Center issues, Walk-In POD operational issues (Mountain Vista High School) and Drive-Through POD operational issues (Thornton). Key areas of success at one or both sites include: staff flexibility / problem solving, medical safety officer role use, Incident Command System (ICS) use and vaccination station supply. Key areas for improvement at one or both sites include: staff check-in procedures, just in time training, signage, radio use, site security and indoor vaccination station design/layout.

Mr. Butts circulated the award TCHD received from the Colorado Department of Public Health and Environment to recognize our contribution to the POD Squad exercise.

Bellevue Space Update

On February 5, 2008, Environmental Health (EH) Division staff housed in the Bellevue and Englewood offices moved into their new space in "Bellevue East," which is located at 7100 East Bellevue Avenue. This move relieved the crowded conditions in the Englewood office and provided space for new staff in the main administration office at 7000 East Bellevue Avenue. The six Emergency Preparedness staff are expected to move from Bellevue to Bellevue East sometime in March.

Planning on how to reallocate the resulting vacant space at the Bellevue office has begun. The Planning Team's goal is to maximize space utilization while minimizing remodeling costs. This concept is in keeping with the fact that our leases at Bellevue and Bellevue East terminate in June 2010 and RNL study results/facility recommendations will not be available until mid 2008.

A tour of the new space at Bellevue East can be arranged at the Board's convenience.

Report on the Status of Selected 2008 Public Health Legislation

SB08-025 – This bill was killed in the Senate Health and Human Services Committee. It would have transferred the authority for setting restaurant licensing fees to the State Board of Health. Current restaurant licensure fees only cover 30% of program costs.

SB08-044 – The Senate Health and Human Services Committee has referred this bill to the Committee on Appropriations. This bill would require all Colorado colleges and universities to screen selected incoming students for tuberculosis.

SB08-109 – The Senate Health and Human Services Committee has postponed this bill indefinitely. This bill would require health care providers to inform patients that certain diseases or conditions must be reported to a health department.

HB08-1199 – This bill was passed by the House Health and Human Services Committee. This bill updates tuberculosis (TB) statutes to reflect current public health practices. It also replaces the requirement that assistance granted to recipients be funded eighty percent from state funding sources and 20 percent from the county in which the recipient resides with a new funding formula based on the incidence of new TB cases.

The **‘208’ Health Care Commission**, which was created to examine health care issues across Colorado and establish health care reform models to expand health care coverage and decrease health care costs for Colorado residents, provided a report to the legislature. Governor Ritter has realized that there is not enough money to support a comprehensive approach to this problem; however, he plans to extend health insurance coverage to uninsured children. No bill has been introduced to date.

Update on RNL/Board Member Roles

Bruce Wilson, Deputy Director, informed the Board that RNL wants to receive input from community stakeholders about their perception of TCHD’s current and future needs. To this end, they have scheduled two facilitated focus group meetings: one on March 4, 2008 from 4:30 to 6:30 PM and one on March 6, 2008 from 8:00 to 10:00 AM at their offices in downtown Denver (parking will be arranged for attendees). They would like to have one Board of Health member per county attend a focus group. No TCHD staff will be present at these meetings. RNL can only accommodate 20 attendees per meeting.

ACTION ITEMS: Interested Board members are to RSVP to Ronnae Brockman, Executive Assistant, or Mr. Wilson.

Other Items

Mr. Wilson informed the Board that TCHD is in the final stages of the attorney selection process. He hopes that we will be able to introduce our new attorney to the Board at the April 8, 2008 meeting.

Dr. Vogt distributed a list of our community partnerships, specifically those with relationships with our Nursing and Nutrition Divisions, to the Board. He explained that this list was developed and provided by request to Denver Public Health and Denver Environmental Health who are looking at combining to become a single local health department.

Dr. Vogt informed the Board that he, Mr. Wilson, Dr. Anderson and Ms. Fischhaber attended the Adams County State of the County Address on February 7, 2008. He was pleased to announce that Adams County recognized TCHD as its health department and included us in their video which featured all county departments.

Set Agenda for the April 8, 2008 Meeting

The following items will be on the agenda for the April 8, 2008 Board of Health meeting: 1) a public hearing on proposed environmental health fee changes; 2) introduction of TCHD’s new Director of Legal and Regulatory Affairs; and 3) presentation of TCHD’s POD Squad After-Action Report. The Public Health Hero of the Year awards reception will follow the meeting at 5:30 PM.

ACTION ITEM: Ms. Brockman to allocate 20 minutes on the April 8, 2008 agenda for the public hearing on proposed environmental health fee changes.

ACTION ITEM: Mr. Wilson to include a bio on TCHD's new Director of Legal and Regulatory Affairs in the Board meeting packet.

Board Member Remarks

Ms. Fischhaber informed the Board that she attended a day-long session on the aging brain. She stated that the aging brain is a trigger to many medical conditions such as diabetes, not just neurodegenerative disorders like Alzheimer's disease. Ms. Fischhaber stated that this is cutting edge and recommended that we keep our eyes open for grants.

Dr. Vogt stated that TCHD has taken steps in this direction with our Aging Initiatives Program. Ms. Weinberg explained that we have two grants from The Colorado Trust. The first is a two-year grant to strengthen community infrastructure to prevent older adult falls in Adams and Arapahoe Counties. In the second project, TCHD is the Statewide Coordinating Agency for The Colorado Trust's Healthy Aging Initiative, the goal of which is to strengthen the ability of senior-serving organizations to increase and improve the services they provide to seniors, ages 65 and older. Ms. Weinberg stated these grants are the foundation for work TCHD will most likely perform in the future on aging issues.

Closing Remarks

Dr. Fawell asked the Board members to stay for an Executive Session following the meeting.

Next Meeting

The next meeting of the TCHD Board of Health will be held on Tuesday, April 8, 2008 at 4:00 P.M. at Tri-County Health Department, 7000 E. Belleview Avenue, Suite 370, Greenwood Village, Colorado 80111.

Adjournment

MOTION: Dr. Gallagher moved to adjourn the meeting at 5:25 P.M. Mr. Robinson seconded and the motion was approved unanimously.

Thomas Fawell, M.D., President

Ruth Fischhaber, Secretary