

**MINUTES
OF THE
BOARD OF HEALTH**

JEFFERSON COUNTY, COLORADO

On April 21, 2009 at 8:37 a.m., President Cathy Corcoran called the meeting to order. Ms. Karen Gardella took roll call. Present were Ms. Maureen Sullivan, Ms. Bonnie McNulty, Mr. John Jehn and Ms. Cathy Corcoran. Ms. Amanda Crusier, Counsel, was also present. A quorum was established.

Acceptance of Agenda

Ms. Bonny McNulty made the motion to approve the agenda. Ms. Maureen Sullivan seconded the motion.

Motion passed.

Acceptance of Previous Minutes

Mr. John Jehn made the motion to approve the minutes of the March 17, 2009 meeting. Ms. Bonnie McNulty seconded the motion. **Motion passed.**

Employee of the Month Presentation

Ms. Cathy Corcoran presented the April Employee of the Month certificate to Ms. Nancy O'Brien with the Health Promotion Division, WIC Program.

Financial Report

Ms. Bonnie McNulty made the motion to approve the 2009 financial report as presented by Ms. Beth Lipscomb.

Mr. John Jehn seconded the motion. **Motion passed.**

Contracts and Agreements

Ms. Maureen Sullivan made the motion to approve the contracts and agreements as presented by Ms. Lipscomb with the stipulation of clarification of the term dates on two agreements: the Intracounty Agreement between Jefferson County Department of Human Services (JCDHS) and Jefferson County Department of Health and Environment, and the Memorandum of Understanding between JCDHE and Gilpin, Elbert and Clear Creek Counties. Mr. John Jehn seconded the motion. **Motion passed.**

Review of Bids and Award of Integrated Mosquito Management Program Contract

Ms. Beth Lipscomb asked the Board to postpone this item until additional information was received.

Approval of Warrants

Ms. Maureen Sullivan made the motion to approve the warrants as submitted. Ms. Bonnie McNulty seconded the motion. **Motion passed.**

Discussion and Explanation of Senate Bill 194 Requirements

Due to the requirements of Senate Bill 194, the five-member Jefferson County Board of Health had to be reappointed by the Board of County Commissioners (BCC). Resolution No. CC09-13-133 was passed by the BCC in a unanimous vote to retain the current members of the Board of Health. Dr. Mark Johnson explained the pertinent facets of this law in regard to this action and what was now required of the Board of Health.

Approval of Current By-Laws

Due to the requirements of Senate Bill 194, Boards of Health must approve their bylaws. Ms. Bonnie McNulty made the motion to approve the current Board of Health Bylaws, amended and adopted at the Board of Health Meeting held May 20, 2008. Mr. John Jehn seconded the motion. A roll call vote was taken and the motion was approved unanimously by a 4 to 0 vote.

Re-Election of Board of Health Officers

Senate Bill 194 also requires the appointment of Board of Health Officers. Ms. Maureen Sullivan made the motion to affirm the current Board of Health Officers:

Ms. Cathy Corcoran – President

Mr. John A. Jehn – Vice President

Ms. Bonnie McNulty – Secretary

Ms. Bonnie McNulty seconded the motion. A roll call vote was taken and the motion was approved unanimously by a 4 to 0 vote.

Resolution #09-2

The final compliance for Senate Bill 194 is the appointment of the Public Health Director for Jefferson County. Mr. John Jehn made the motion to re-appoint Dr. Mark B. Johnson as the Public Health Director for Jefferson County. Ms. Bonnie McNulty seconded the motion. A roll call vote was taken and the motion was approved unanimously by a 4 to 0 vote.

Review of Bids and Award of Integrated Mosquito Management Program Contract

Ms. Beth Lipscomb presented two anonymous bids for the 2009 Integrated Mosquito Management Program Contract, along with staff recommendations. The term of the agreement is June 8, 2009 through September 4, 2009. Information sheets were passed to the Board of Health summarizing the differences between the two bids. Staff recommended “Bidder A” based on a review of the bid packages and the associated cost. Dr. Jim Dale stated that he believed both companies could provide the necessary services. JCDHE maintained that it would be economically feasible to contract with the company that would have the least cost to the citizens of Jefferson County.

Ms. Maureen Sullivan made the motion to approve the staff’s recommendation of “Bidder A” for the 2009 Integrated Mosquito Management Program Contract. Mr. John Jehn seconded the motion. **Motion passed.**

After receiving copies of the proposals from Ms. Beth Lipscomb, Ms. Cathy Corcoran stated for the record, that the company chosen was OtterTail Environmental, Inc.

New Business

Ms. Cathy Corcoran informed all present of the proposed name change from Jefferson County Department of Health and Environment to Jefferson County Public Health. Dr. Johnson explained that as part of last year’s strategic planning process, an advocacy committee had been formed and found, by survey, that the current department name was viewed as being cumbersome, and that more of the public now sees to associate air quality, water quality, zoonosis, etc., with public health than appeared to be the case when this name was chosen to highlight the environmental component of public health.. Mr. John Jehn voiced his concern about the elimination of “Environment” in the title. Dr. Johnson asked Ms. Norma Tubman, Chair of the advocacy committee to respond to the questions of the Board. Ms. Tubman stated that a survey was sent to all department employees, and approximately 90 replies were received. Eighty percent (80%) of the replies asked for “Public Health” to be part of the name while twenty percent (20%) requested the name remain the same. One of the options offered was “Jefferson County Public and Environmental Health.” Forty percent (40%) of the people voted to change the name to Jefferson County Public Health.

Ms. Maureen Sullivan made the motion to change the name of the Jefferson County Department of Health and Environment to Jefferson County Public Health. Ms. Bonnie McNulty seconded the motion. A roll call vote was taken and the motion was approved unanimously by a 4 to 0 vote.

Old Business

Mr. Craig updated the Board of Health on the water quality at the Mountain Phoenix Community School. The school is waiting for approval by the State of Colorado on their water system and is using bottled water for drinking and handwashing. The septic system was upgraded to the advanced treatment system and is functioning properly. Tests show elevated levels of nitrate in their well water, which may require some additional treatment to meet the state standard.

Mr. John Jehn requested researching the number of families, wells and septic systems that are in close proximity to the school and test those wells also.

Dr. Jim Dale suggested a demonstration at the May 19, 2009 Board of Health meeting showing onsite wastewater systems located near the school. Ms. Cathy Corcoran stated that this would be an agenda item for the May 19, 2009 meeting as “Old Business.”

Mr. Craig Sanders mentioned correspondence received from Mr. Greg Scott regarding a permit that had been issued. Mr. Sanders reviewed the permit and provided his input and feedback. Mr. Sanders stated that JCDHE welcomes citizen involvement and the fact that Mr. Scott and the Evergreen Park community are interested in this situation, is greatly appreciated. Church OWC, LLC did the original engineering for the system. Mr. Bob Wright with that engineering firm prepared a fairly extensive analysis of each of the points that Mr. Scott raised. JCDHE felt certain that the system permitted is appropriate, that it does comply with the regulations and that it will protect the health, safety and welfare of the community. These were also the conclusions of Mr. Wright who reviewed Mr. Scott's concerns. Mr. Sanders commended Mr. Wright for taking the time to prepare a lengthy analysis of Mr. Scott's points.

The permit has been valid and deemed to be acceptable since 2004 and Mr. Sanders did not feel another year would pose any environmental hazard.

Ms. Corcoran noted for the record, that Mr. Scott wanted the Board of Health to review his material. The Board received the correspondence, read it and requested a copy of Mr. Wright's report to conclude this situation. Mr. Sanders will send the report to each Board member.

Mr. Sanders will present the conclusion of the "Old 500 Permits Program" at the May 19, 2009 Board of Health Meeting.

Dr. Johnson recognized Mr. Craig Sanders for being a "driving force" in encouraging the Colorado Department of Public Health and Environment (CDPHE) to hire a full time staff member for the Individual Sewage Disposal System Program. This person will be a huge asset to professionals statewide.

Mr. Dave Hooker addressed the Board regarding the civil penalty process for annual renewal of Retail Food Establishment Licenses. Jefferson County is the first county in Colorado to receive 100% of the 2009 license renewals. Mr. Hooker spoke briefly with Ms. Amanda Cruser, Esq., about the process for 2010. License renewal notifications will be mailed directly after Thanksgiving. Historically, the Consumer Protection Program has given establishments a grace period of the entire month of January. After that time, the civil penalty letters are sent, which essentially gives another grace period. This system needs to be shortened. Contingent upon discussions with Ms. Cruser, the possibility of declaring consequences in the initial renewal application will be examined.

Ms. Cathy Corcoran and the Board, requested that the initial letter be rewritten to include the consequences of past due licensing fees. This may include a second letter from the attorney stating the initiation of the civil penalty process and assessment of the fine. The Board will review the final draft.

Executive Director's Comments

Dr. Johnson reminded the Board of the National Association of Boards of Health (NALBOH) meeting in Philadelphia July 1 through 3.

CDPHE has voiced an interest in reinvigorating the idea of having a state association of local boards of health. A previous president of Jefferson County Board of Health was very involved in this concept, but did not receive support to make it a reality.

Dr. Johnson met with Ms. Amanda Cruser and Mr. Victor Boog , to discuss the various programs and services offered by JCDHE. Dr. Johnson gave them organizational charts of JCDHE and a list of acronyms used in public health.

President's Comments

None

Staff Comments

None

Public Comments

Mr. Craig Sanders introduced Mr. Dudley Butler with the Coal Creek Canyon Fire Protection District. Mr. Butler requested a refund of the District's septic permit fee.

Coal Creek Canyon Fire Protection District has constructed three buildings in the last eight years, all with septic systems. Each time a septic permit has been issued this Fire Protection District has addressed the Board of Health and requested a fee waiver. In the past, each has been granted.

Dr. Dale stated his support to collaborate with fire departments because the health department appreciates their collaboration regarding burn permits and a variety of other services.

Dr. Johnson stated that each situation is different; therefore all requests for refunds and/or waivers are addressed on a case-by-case basis requiring the applicant/owner to come before the Board of Health.

John Jehn made the motion to refund the septic permit fee to the Coal Creek Canyon Fire Protection District. Ms. Bonnie McNulty seconded the motion. **Motion passed.**

There being no further business to come before the Board, this meeting was adjourned at 10:06 a.m.