

The regular Board of Health meeting was held by Zoom, November 23, 2022, at 12:00 noon.

**Board Members**

**Present:** Donald Moore, Board President  
Michael J. Nerenberg, Board Vice President  
Ed Brown, Board Member  
Eileen Dennis, Board Member  
Eppie Griego, County Commissioner

**Legal Counsel:** Marci Day, Assistant County Attorney

**Administrative Staff**

**Members Present:** Randy Evetts, Public Health Director  
Katie Davis, Deputy Director  
Georgia Alfonso, Budget, and Finance Director  
Chad Wolgram, Environmental Health Director  
Denise DeNardo, Human Resources Manager  
Maria Telfer, Community Health Services Director  
Adler Mercado Martinez, Administrative Assistant

**Staff Members:** Jessica Apodaca, Vicki Carlton, Sara Colalancia, Brian Comfort, Scott Cowan, Shylo Dennison, Justin Gage, Sarah Joseph, Melinda Sentance, Alicia Solis, Megan Ulmer

A. **Call to Order and Approve or Make Changes to the Agenda**

Board President Donald Moore called the meeting to order and asked for approval of the Agenda.

**MOVED** by Eileen Dennis, seconded by Michael J. Nerenberg, to approve the Agenda.

***MOTION CARRIED UNANIMOUSLY***

B. **Approval of Minutes**

**MOVED** by Michael Nerenberg, seconded by Eileen Dennis, to approve the October 26, 2022, BOH meeting minutes as submitted.

***MOTION CARRIED UNANIMOUSLY***

C. **Public Forum**

None

D. **Special Presentation**

**Adoption of Community Health Improvement Plan (CHIP)**

Program Manager Shylo Dennison reviewed the process for the creation of the latest Community Health Improvement Plan with the Board. PDPHE has been able to partner more with hospitals this time around. Two main CHIP priority problems have been identified:

- Obesity
- Behavioral Health

Public Health Planner Jessica Apodaca reviewed the Equity Action Lab Plan Framework. The framework is designed to work through intensive action on a very narrow issue during a short period of time in a reiterative cycle.

Shylo Dennison noted the Behavioral Health leadership and Obesity leadership teams helped to create AIM statements for each priority area as a starting point for the CHIP work. As work is accomplished related to these AIMS, additional efforts to build on success, maintain action and keep progressing will be determined.

The following are the objectives of the CHIP:

- Year 1: Complete at least 1 sprint per priority area
- Year 2-5 (2024-2027): Complete at least 2 sprints per priority area, per year

Michael Nerenberg asked how PDPHE can track the work that has been accomplished with these objectives. Shylo stated they have done their best to tie to existing efforts or things that have happened in the past. Shylo also stated if there are specific items Michael Nerenberg would like captured, to let her know. Having experts involved will also assist with capturing specific data. Board member Eileen Dennis requested a report after the first sprint.

Board President Donald Moore asked if any implemented action plans will require a budget or funding and, if so, would the hospitals be willing to include it in their Community Benefit work and/or would other funding be available. Shylo replied that it will depend on the leadership team and topic. Donald Moore asked to think about limiting solutions to existing or available resources, so implementation is feasible. Jessica Apodaca explained this is one of the expectations of framework created.

Randy Evetts acknowledged the teams hard work with the Community Health Improvement Plan.

**MOVED** by Eileen Dennis, seconded by Michael Nerenberg to adopt the proposed Community Health Improvement Plan.

***MOTION CARRIED UNANIMOUSLY***

E. **Action Items**

**Approval of Holidays for 2023**

Human Resources Manager Denise DeNardo presented the 2023 holiday schedule.

- New Year's Day – Monday, January 2, 2023
- Martin Luther King, Jr. Day – Monday, January 16, 2023
- President's Day – Monday, February 20, 2023
- Memorial Day – Monday, May 29, 2023
- Juneteenth – Monday, June 19, 2023
- Independence Day/Observed – Tuesday, July 4, 2023
- Labor Day – Monday, September 4, 2023
- Frances Xavier Cabrini Day – Monday, October 2, 2023
- Veteran's Day – Friday, November 10, 2023
- Thanksgiving Day – Thursday, November 23, 2023
- Day after Thanksgiving – Friday, November 24, 2023
- Christmas Eve ½ Day/Observed – Friday, December 22, 2023
- Christmas Day – Monday, December 25, 2023

**MOVED** by Eileen Dennis, seconded by Eppie Griego, to approve the proposed 2023 Department Holidays as presented above.

***MOTION CARRIED UNANIMOUSLY***

**FAMLI**

The Board previously acted to opt-out of FAMLI, however, another step is required for PDPHE to meet state requirements. Attorney Marci Day explained information about FAMLI was provided to employees and provided an option to participate in BOH meeting or send a written statement to Human Resources with their input on opting out. Human Resource Manager Denise DeNardo mentioned only one written statement was received. Statement read: "I do not believe all employees should pay for this, only employees that need it." Employees present at BOH meeting did not indicate any concerns or objections. Opting out as an agency allows individual employees the choice to participate in FAMLI if they choose.

**MOVED** by Eileen Dennis, seconded by Michael Nerenberg, to 'opt out' of FAMLI as proposed.

***MOTION CARRIED UNANIMOUSLY***

Approval of Retail Food Civil Penalty Process

Environmental Health Director Chad Wolgram presented the Food Protection Program Standard 6 Compliance and Enforcement – Civil Penalty Process updates. Compliance and enforcement encompass all voluntary and regulatory actions taken to achieve compliance with regulations. Voluntary corrective actions include but are not limited to, such activities as on-site corrections at time of inspection, voluntary destruction of product, risk control plans and remedial training. Enforcement actions include, but are not limited to, such activities as warning letters, re-inspections, citations, administrative fines, hearings, and license suspensions.

- Chad Wolgram presented the local process in which PDPHE will assess the civil penalty when a retail food establishment fails a routine inspection, plus three re-inspections of the facility. Or if the facility fails 4 out of 5 inspections in a 12-month period.
- There is one update to the process that was submitted for review. If a facility fails four out of five inspections in a 12-month period the first penalty assessment will be \$500 plus immediate closure (instead of a \$1,000 assessment), \$1,000 plus immediate closure (suspension of license) for three days or until violations are corrected and facility approved to reopen by PDPHE.

Donald Moore asked Director Evetts to explain the efforts PDPHE makes to support operator education and compliant practices. PDPHE offers safety classes and takes the class to restaurants when they have a bad or failing inspection. In addition, we have worked closely with translators when needed to address cultural and linguistic barriers that occur when teaching about the regulations. The philosophy is to partner with businesses to help them be compliant and make sure food is safe.

**MOVED** by Michael Nerenberg, seconded by Ed Brown, to adopt the retail Food Civil Penalty Process effective January 1, 2023, as presented.

**MOTION CARRIED UNANIMOUSLY**

Pool Fee Analysis

Environmental Health Director Chad Wolgram presented the new Project Fee Analysis for Pools/Hot Tubs. State Statute: C.R.S. 25-5-802 thru 25-5-810 and 25-1.5-101(h), gives the Health Department authority to inspect swimming pools, spas, mineral baths, splash parks and fountains. Pueblo Department of Public Health and Environment Board of Health Adopted the 2018 Model Aquatic Health Code as a Board of Health Regulation which became effective January 1, 2022. All swimming areas shall be open for inspection at any time they are in use and at any other reasonable time by agents of the Department of Public Health and Environment. Year-round pools and spas are inspected two times per year and seasonal pools and spas are inspected 1 time a year.

- 62 Pools and Hot Tubs in the City of Pueblo November 30, 2022
- 13 Pools and Hot Tubs in Pueblo County November 30, 2022

Current Revenue:

- \$125.00 for seasonal water feature inspection
- \$25.00 for additional seasonal water features
- \$100.00 for plan review
- \$50.00 for fountain inspections
- \$50.00 for pool reinspection
- \$250.00 for year-round water body
- \$50.00 for additional year-round water body

PDPHE's proposal:

- Effective January 2023, increase the seasonal inspections fee to \$175 for the initial feature and \$50 for each additional feature (hot tub, kiddie pool, etc.)
- Effective January 2023, increase the plan review application to \$125 and \$50 an hour to review the plan.
- Effective January 2023 increase fountain inspections to \$75.

- Effective January 2023 increase pool reinspection to \$75.
- Effective January 2023, increase the year-round inspection fees for both inspections to \$350 for the initial feature and \$100 for each additional feature (hot tub, kiddie pool, etc.)

Donald Moore asked if there was a stakeholder process related to the new fees. New fees have not been proposed to the stakeholders, but Environmental Health has been in contact with stakeholders throughout the year regarding the Model Aquatic Health Code. Chad indicated the proposed fees are less than actual cost; current fees have been in effect since 2017. Chad also stated there is a recreational water grant from CDC that can assist businesses with education in order to come into compliance with the regulations for pools, etc.

**MOVED** by Ed Brown, seconded by Michael Nerenberg, to approve the proposed Pool Fee Analysis increase effective January 1, 2023, as presented above.

***MOTION CARRIED UNANIMOUSLY***

F. **Budget and Finance**  
**Financial and Contract Cost Reports**

The October 2022 Financial Report was presented to the Board. Revenues exceed expenses by \$124,554.31. Accounts payable and deferred income are slightly higher due to having additional funds. PDPHE has one fund balance that includes various type of funds. All funds are monitored.

- Restricted funds are fund awards received ahead of time before the work is actually completed. PDPHE has multiple grants in this category; they are ear marked and program specific. Year to date fund balance is \$367,754.00.
- Committed General Operating Fund is the main fund. It has been maintained at an equivalent of 85 days of operation costs for several years, as recommended by the Board. Numbers change every year and will fluctuate depending on the budget for the year. Year to date fund balance is \$2,664,287.03.
- Unassigned Funds fluctuate every month and are not committed to any specific purpose. These funds will be used first in 2023. Year to date fund balance is \$436,768.09.

Donald Moore asked for an update on the 2023 Budget and for any developments associated with additional County and/or City allocations. He noted and thanked Commissioner Griego for volunteering to inquire with the County about additional funding request from PDPHE. Eppie stated the County has already decided its budget allocations for 2023. Mr. Moore asked if there was anything that should be done in 2023 to increase the Department's chance of receiving additional funding; Eppie stated to increase the request. Georgia Alfonso stated historically, the funds received from the County are usually larger than the amount received from the City. Donald asked how open enrollment for health insurance is going for PDPHE employees. Deputy Director Katie Davis stated open enrollment for benefits is going very well with only a 3% increase in health insurance premiums, which is much lower than most agencies are seeing. A small percent was passed to employees although this is the first year employees have seen an increase in health insurance premiums in over five years.

**MOVED** by Ed Brown, seconded by Michael Nerenberg, to accept the October 2022 financial report as presented.

***MOTION CARRIED UNANIMOUSLY***

**Contracts**

None presented for this month.

G. **BOH Updates/Reports**  
**Public Health Director's Report Updates**

COVID:

- Pueblo County positivity rate is up to 13%
- CDPHE Transmission level is in the yellow
- Wastewater testing results are increasing.
- Currently in the community there are four strains or the virus:

- BA5 predominant 25% to 30%
- BQ1
- BQ1.1
- BA7
- Modeling suggests there should be an increase in hospitalizations around mid-December - early January
- Currently 19 positive Covid cases at Parkview, 3 on ventilators
- Federal dollars were 100% covering vaccination and testing sites. As of July 1, federal funding is 90% and state funding covers the additional 10%
- Community vaccination site will close December 3, 2022
- Community testing site will close December 31, 2022
- PDPHE is trying to gather and distribute as many home-test as possible; all will depend on federal funding.

RSV

- Currently, 9 cases at Parkview hospital

Donald Moore asked Director Evetts if PDPHE has COVID testing resources and information to educate and present to the community provided that state services will be contracting. PDPHE offers resources and information online. Website is updated periodically. Big retail pharmacies (Walmart, Walgreens, King Soopers etc.) still provide testing, vaccination, or both. Communications team and Emergency Preparedness and Response team communicate with providers. Public Information Officer Sarah Joseph indicated PDPHE is doing inventory of where vaccine is available in the community. Mobile COVID bus will close December 31, 2022.

Eileen Dennis asked if there is a place to access RSV care that would be inexpensive especially through a call-in service or “ask a nurse” model. Director Randy Evetts noted many private insurance providers offer these services, but he was unaware of other organizations or resources who might offer this support. Randy will ask his team to do additional research.

Donald Moore asked if PDPHE has an update regarding Syphilis overall data. Community Health Services Director Maria Telfer has not received updated overall data. Deputy Director Katie Davis indicated STI cases in general are increasing. Sarah Joseph explained that a call to action is to visit GoAskTara website with any questions or concerns regarding STIs.

The next regular BOH meeting is scheduled for Wednesday, December 28, 2022, at 12:00 noon.

**MOVED** by Eileen Dennis, seconded by Michael Nerenberg, to adjourn the Board of Health meeting.

**MOTION CARRIED UNANIMOUSLY**



Donald Moore, Board of Health President



Randy Evetts, MPA, Public Health Director