

FREMONT COUNTY BOARD OF HEALTH MEETING

September 28, 2021

The Fremont County Board of Health Meeting for September was held on Tuesday, September 28, 2021 at 1:15 p.m. in the Fremont County Administration building, 615 Macon Avenue, Room 207, Cañon City, Colorado. The following Board members were in attendance:

Dwayne McFall – Commissioner
Kevin Grantham – Commissioner
Debbie Bell – Commissioner

Staff Present:

Brenda Jackson – County Attorney
Sunny Bryant – County Manager/Finance Director
Kayla Marler – Public Health Director
Amy Jamison – Environmental Health Officer
Wyatt Sanders – Building Department Director
Debbie Ulrich – Minutes Secretary

CALL TO ORDER AND ROLL CALL

Meeting was called to Order by Commissioner McFall at 1:15 p.m. Roll call followed.

APPROVAL OF MINUTES

Commissioner McFall called for approval of the August 31, 2021 minutes. Commissioner Bell made a Motion to approve the August 31, 2021 Minutes; Commissioner Grantham seconded the Motion. Call for vote: All Ayes. Minutes are approved.

APPROVAL OF AGENDA

Commissioner McFall called for any changes or additions to the Agenda. Kayla Marler noted that the word Varcen under New Business should be Narcan. Kayla has additions to the FCPHE report. Kayla would like to add Cure MD after Vital Records followed by FCDPHE Lunch Hour. Commissioner Grantham made a Motion to accept the Agenda with the changes and additions made. Commissioner Bell seconded the Motion. Call for vote: All Ayes. Agenda is approved.

CITIZENS NOT ON THE AGENDA – TIME TO ADDRESS THE BOARD

None.

Old Business - Environmental Health

Gill Variance Request carried over from the August Board of Health Meeting.

Mr. Gill brought Images to go along with his presentation. He distributed two packets. He included non-conforming properties from other counties in his presentation. He expressed his feelings about Wyatt's response regarding the fact that he had dropped off engineering reports but did not submit an application. Gill stated he had dropped off an engineering report to Building Department but did not submit an application. He purchased the property in 1995. He then proceeded to read from Sid Darden's notes from 1993. He noted that Sid made the permit stating "well could not be located". Gill disagreed with Sid's statement and said that he could see where

the well was located. Gill continued his presentation. Gill noted that Sid couldn't give them a Level 1 treatment system and Gill stated that now he can do a Level 3 treatment system. Continued his argument against the State and Fremont County regulations. County Attorney Jackson asked Gill if he realized that the 1993 Regulations have been changed/revised 4 times since then? He continued his defense of what he is trying to do including photos of what he bought and what he has done and reading documents that he has included in his packet. Gill stated what other counties would do, including the statement "Chaffee County would be "Rubber Stamping" his request immediately. He verbally expressed his contempt for Wyatt. Commissioner Bell asked that he address the Board and not direct it to Mr. Sanders (Wyatt). Continued his presentation, etc. Discussion continued regarding what he didn't get a permit for and what he did get a permit for. Questions and comments from Commissioner McFall regarding the State's requirements and that Fremont County has to go by State Regs. Gill argued that it can be done as non-conforming properties. Gill says BOH can override the State Regs. Commissioner Bell stated that we (BOH) cannot override the State Regs. Gill argued with her. Attorney Jackson stated that BOH cannot override the State Regs with something that is impermissible. Commissioner Grantham said the fact that other Counties are approving things that the State Regs don't permit has no bearing on what Fremont County does. Commissioner Bell asked how many variances is he asking for. Gill continued his argument for the variance, never answering the question. Continued presentation and arguing his point. Presented other properties that were approved over 20 years ago. Wyatt explained that we have to abide by the State Regs as they exist today. Commissioner Bell asked Wyatt if had looked into everything possible to make this variance possible. Wyatt assured the BOH that he has and went on to explain what the Regulations are for. They are in place to protect our water, septic, sewage, river, etc. It is too risky and there is a higher chance of contamination. Commissioner Bell stated the BOH has plenty of information from both sides to make a decision. Commissioner Bell made a Motion to table the decision to October 26th; BOH will have a workshop to deliberate. Commissioner Grantham seconded the Motion. Call for Vote; all Ayes. Motion is passed.

New Business

Kayla Marler, Public Health Director stated that she is seeking approval to sign a Statement of Intent for a pilot program using a Narcan Vending Machine. The vending machine will be located at Loaves and Fishes. There will be "no charge" for the use of the Narcan vending machine. Kayla noted that FCPHE will be teaming up with other entities and individuals. Discussion followed including the success of this program and who has used it. It was well received by Canada with good results. The Grant will cover everything plus 8% and will cover the cost of training the entities and individuals on usage of the machine. Commissioner Grantham made a Motion to approve the signature by Kayla on the Statement of Intent. Commissioner Bell seconded the Motion. Call for Vote; all Ayes. Motion is passed.

Kayla addressed the BOH about the Environmental Health Conflict of Interest Restaurant list.

The Owl – Amy worked there before becoming the Fremont County Environmental Health Officer

Pizza Madness - Amy's husband works at Pizza Madness

KFC – Kayla has a conflict

All of the Restaurants that FCPHE has a conflict of interest with, will be inspected by State Inspectors.

Kayla would like to get permission from the BOH to shut down the Clinical part of FCPHE from 12:00 – 1:00 so they can eat lunch without interruptions. Discussion continued with opinions from all three commissioners. Commissioner McFall stated that the employees need to have their 30 minute lunch break but doesn't see the benefit to shutting down for an hour. Commissioner Bell noted that the County has other departments that can't close down their offices for lunch. It was also noted that we are already closing on Fridays, with Commissioner Grantham adding that closing down FCPHE for lunch would be taking away another 4 hours a week from the public.

DIRECTORS REPORTS

Environmental Health Report

Amy Jamison, Environmental Health Officer reported on the following items:

New Establishments

Amy informed the Board of the new establishments. Happy Place Mobile, Diana's Pumpkin Patch is open for the season and IDK Fusion Catering.

Inspections, Re-inspections and Interventions

Amy stated that she has done 15 RFE Inspections which includes re-inspections and interventions. Amy conducted Food Safety Training at 8-Mile and VFW Penrose.

Complaints

Amy reported that she did not receive any complaints this month.

Rabies

Amy stated that the bat she submitted on August 31, 2021) for testing was negative. She also noted that today (August 31, 2021) is "World Rabies Day".

Amy noted that because of the Retail Foods Standards Grant she was able to attend the Colorado Environmental Health Association Conference two weeks ago.

Commissioner Grantham made a Motion to accept the Environmental Health Officer's report. Commissioner Bell seconded the Motion. Call for Vote; all Ayes. Report is accepted.

Public Health Director

Kayla Marler, Public Health Director, reported on the following subjects:

Staffing

Kayla reported that the Employee of the Month for August is Michelle Boscia and for September it is Dawn Decker. The new Office Assistant will start on October 11th. The open positions for RN and LPN closed September 23rd.

Coronavirus – Covid-19

Kayla reported that there have been 170 cases in the last 7 days with 11 in the hospital. Mobile Colorado is back now and will be at Walmart October 1st – 3rd. Mako has extended their hours from 8:00 a.m. to 4:00 p.m. FCPHE are still testing Monday thru Saturday and be extending testing to February 28, 2022.

Community Collaborative Update

FCPHE is still working with RE-1

Cure M.D.

Kayla announced that Cure M.D. is now ready to go live. She has received approval and that all of their input is correct and the systems are now "talking to each other"

Commissioner Bell made a Motion to accept the Public Health Directors report. Commissioner Grantham seconded the Motion. Call for Vote; All Ayes. The Public Health report is accepted.

Meeting adjourned at 2:37 p.m.

