



**Board of Health Meeting and Public Forum  
August 16-17, 2021  
Minutes**

At a special meeting of the Tri-County Health Department (TCHD) Board of Health, held virtually via Zoom, there were:

**Board of Health Members:**

Janice Brainard, RN, Arapahoe County	Present
Thomas Fawell, MD, Arapahoe County	Present
Kaia Gallagher, PhD, President, Arapahoe County	Present
Linda Fielding, MD, Douglas County	Present
Julie Mullica, MPH, Vice President, Adams County	Present
Kim Murimoto, RN, Douglas County	Present
Zachary Nannestad, MPH, Secretary, Douglas County	Present
Rosanna Reyes, RN, Adams County	Present
Julie Schilz, RN, Adams County	Present

**Executive Management Team Members:**

Michele Askenazi, Director of Emergency Preparedness, Response and Communicable Disease Surveillance	Absent
Heather Baumgartner, Director of Community Health Promotion	Present
Lisa Bolstad, Administrative Assistant	Present
Jill Bonczynski, Director of Nutrition	Present
Ronnae Brockman, Executive Assistant	Present
Monique Didier, Director of Administration and Finance	Present
John M. Douglas, Jr., MD, Executive Director	Present
Mame Fuhrman, Director of the Office of Human Resources	Present
Penny Grande, Director of Nursing	Present
Brian Hlavacek, Director of Environmental Health	
Jennifer Ludwig, Deputy Director	Present
Kelly Weidenbach, Director of Planning and Information Management	Present

**Others Present:**

Randy Dement, TCHD's Legal Counsel  
Sid Overton, TCHD's Legal Counsel  
Sara Garrington, Emergency Preparedness and Response Manager, on behalf of Michele Askenazi

**Call to Order**

Dr. Gallagher called the meeting to order on August 16, 2021 at 4:00 p.m.

**Public Forum: School Masking Requirements**

Oral comment, both in favor and against a mask mandate in schools and childcare centers, was heard from members of the public.

**Executive Session with Legal Counsel**

**MOTION: Ms. Mullica moved to go into Executive Session with legal counsel to discuss matters related to public health orders. Dr. Fielding seconded and the motion passed with a unanimous affirmative vote by the Board of Health members.**

Mr. Overton invoked attorney-client privilege under Colorado Revised Statutes (C.R.S.) 24-6-402(4) to discuss legal matters related to public health orders.

The Executive Session was held from 5:33 p.m. to 7:37 p.m.

**Motion to Suspend Meeting Until August 17, 2021 at 4:30 p.m.**

The Board members returned to the public meeting following the Executive Session with legal counsel.

**MOTION: Ms. Muramoto moved to suspend the Board meeting and reconvene on August 17, 2021 at 4:30 p.m. Dr. Fawell seconded and the motion passed with all in favor except Ms. Reyes who opposed.**

**Meeting Reconvened**

The Board reconvened via Zoom Webinar on August 17, 2021 at 4:30 p.m. Roll call was conducted and all nine Board members were present.

The Board members discussed their reasoning for being for or against a mask order in schools.

**MOTION: Ms. Mullica moved to authorize and direct the Executive Director of Tri-County Health Department, in response to the COVID-19 pandemic and to support and limit interruptions to critical in-person learning, to issue a public health order requiring the use of face coverings for all individuals, over age 2, in all indoor school and child care settings located within Adams, Arapahoe and Douglas Counties. Per Board of Health policy, counties have the option to opt-out and if a county exercises that right, it does not preclude any school, school district or childcare facility from following this public health order. Ms. Schilz seconded. The motion failed with a four-to-four vote with Ms. Mullica, Ms. Reyes, Ms. Schilz and Ms. Brainard in favor and Dr. Fawell, Dr. Gallagher, Dr. Fielding and Ms. Muramoto against. Mr. Nannestad abstained and stated his employment with Douglas County School District posed a conflict of interest.**

**MOTION: Ms. Reyes moved to postpone the vote until it could be determined whether Mr. Nannestad's abstention changed the denominator for the outcome of the vote. The motion wasn't seconded.**

Ms. Brockman explained that the *Amended and Restated Bylaws of the Board of Health of Tri-County Health Department* required a majority affirmative vote of the Board members present for a motion to pass. With nine members present, five members would be required to vote affirmatively in order for the motion to pass. Therefore, Mr. Nannestad's abstention has no effect on the vote's outcome.

**MOTION: Dr. Fawell moved to authorize and direct the Executive Director of Tri-County Health Department, in response to the COVID-19 pandemic and in the absence of an approved vaccine for children under the age of 12 years, to issue a public health order requiring the use of face coverings**

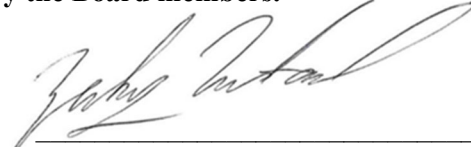
for all children aged 2 years to 11 years, as well as all individuals working or interacting with children aged 2 years to 11 years, in all indoor school and child care settings located within Adams, Arapahoe and Douglas Counties. Per Board of Health policy, counties have the option to opt-out and if a county exercises that right, it does not preclude any school, school district or childcare facility from following this public health order. Said Public Health Order to become effective at the start of school on August 23, 2021. Additionally, public health data to be continuously monitored until the Public Health Order is rescinded, based on the ongoing data. Dr. Gallagher seconded. The motion passed with a six-to-two vote with Ms. Mullica, Ms. Reyes, Ms. Schilz, Ms. Brainard, Dr. Fawell and Dr. Gallagher in favor and Dr. Fielding and Ms. Muramoto against. Mr. Nannestad abstained and stated his employment with Douglas County School District posed a conflict of interest.

**Adjournment**

**MOTION:** Dr. Fawell moved to adjourn the meeting at 5:22 p.m. Mr. Nannestad seconded and the motion passed with a unanimous affirmative vote by the Board members.



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Kaia Gallagher, PhD, President



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Zach Nannestad, Secretary