



Shawn Davis, Chair
Bebe Kleinman, Vice Chair
Kristine Burrows
Dr. Mark Levine
Terrence Walker
Michelle Weinraub
Mark Mcmillan

Arapahoe County

Arapahoe County Board of Health

Meeting Minute Summaries

Wednesday, April 16, 2025
3:00 PM

Public Health
Willow

The public is welcome to attend the Board of Health meeting in the Arapahoe Board Room, located at 6162 S Willow Dr, Greenwood Village, CO 80111, or virtually on Teams https://teams.microsoft.com/l/meetup-join/19%3ameeting_Yzc5ZWNiOGMtYzk1YS00YTYxLWIwYtEtYTRIYWQwNzZlNzRm%40thread.v2/0?context=%7b%22Tid%22%3a%2257d7b626-d71d-47f6-84c1-c43bda19ba16%22%2c%22Oid%22%3a%22c0695c0a-202a-41ae-9aa5-a71df8e21ec2%22%7d, or by calling 1-719-569-5048 and entering the Conference ID: 443 152 952# when prompted.

1. *CALL TO ORDER

Present Bebe Kleinman, Shawn Davis, Kristine Burrows, Terrence Walker, Michelle Weinraub, Mark Mcmillan, and Mark Levine

2. *APPROVAL OF MINUTES

2.a.

Attachments: [1. BOH ISS Minutes 2025](#)
[2. BOH Meeting Minutes 20250319](#)

A motion was made by Levine, seconded by Walker, that this Minutes be approved. The motion carried by the following vote:

Aye: Kleinman, Davis, Walker, Weinraub, Mcmillan, and Levine

Abstain: Burrows

3. *PUBLIC COMMENT

Individuals are invited to speak to the Board of Health about any topic. To provide Public Comment, please contact the Board of Health Liaison (aschmidt@arapahoegov.com) at least 30 minutes prior to the start of the respective board meeting. Speakers will be called in the order in which they signed up. Each person has a 3-minute time limit for comments, unless otherwise noted by the Chair. Individuals must state their name and address for the record prior to making remarks.

4. *BOARD OF HEALTH COMMENTS

5. *GENERAL BUSINESS ITEMS

5.a.**Attachments:** [2025.04.15 Motion to Cease and Desist re OWTS for 3140 W Girard Ave 1](#)

A motion was made by Davis, seconded by Kleinman, approve the Public Health Order regarding 3140 W Girard Ave.

The motion carried by the following vote:

Aye: Kleinman, Davis, Burrows, Walker, Weinraub, Mcmillan, and Levine

Pursuant to legal authority set forth in Colorado Revised Statutes §§ 25-1-508, 25-1-518, 25-10-106, 25-10-113, and the Arapahoe County On-Site Wastewater Treatment Act Regulations, the Arapahoe County Board of Health hereby issues the following Order to the above-named persons and entities.

The Arapahoe County Board of Health held a second enforcement hearing on Wednesday, April 16, 2025. Following receipt of testimony and evidence from public health staff and the property owner's representative, the Board made the following findings:

The Board accepted representations that the on-site wastewater treatment system (also referred to as a septic system or OWTS) at 3140 W. Girard Ave., Englewood CO is still failing but effluent has not surfaced since implementation of the requirements set forth in the Public Health Order issued on March 19, 2025.

The Board accepted representations that the property owner, Housepurchase LLC, has been compliant with the Public Health Order issued on March 19, 2025.

The Board accepted representations from Mr. Butler's representative that the property will be vacated (and all use of the OWTS will cease) effective April 20, 2025.

The requirements set forth in the Public Health Order issued on March 19, 2025 will stay in effect until the current tenants vacate the property, though findings made in the Order will remain valid.

This Cease and Desist Order will commence once the property is vacated.

This Cease and Desist Order will remain in effect until the OWTS is repaired or replaced to the satisfaction of the Public Health Department or there is completed connection of the property to the Sheridan Sanitation District #2.

The civil penalty assessment of \$50/day, beginning March 20, 2025, will stay in effect and continue until such time that the Board of Health finds that the property owner has achieved compliance with the Colorado Public Health Act, the Colorado On-Site Wastewater Treatment Act, and the Arapahoe County On-Site Wastewater Treatment Act Regulations. The Board of Health will determine the amount of the penalty once the remediation is completed.

To remove, prevent and remediate the nuisance, the Arapahoe County Board of Health has ordered the following:

Housepurchase LLC and Mr. Michael Butler will notify Arapahoe County Public Health when the property has been formally vacated. (To be completed within 24 hours of tenants formally vacating the property.)

Housepurchase LLC and Mr. Butler will ensure that the septic tank is pumped once the property is formally vacated, using an Arapahoe County Public Health licensed cleaner and pumper. (To be completed within 48 hours of tenants formally vacating the property. Receipt of pumping will be provided to Arapahoe County Public Health within seven (7) days of pumping.)

Once the tenants formally vacate the property, Housepurchase LLC and Mr. Butler are to ensure that there are no tenants, renters, or any occupants whatsoever at the property so that all use of the OWTS ceases until this Cease and Desist Order is lifted.

To ensure there is no continued use of the OWTS, Housepurchase LLC and Mr. Butler are ordered to submit water meter readings to staff of the Public Health Department on a monthly basis, starting May 1, 2025, and continuing on the first of each month, until the Cease and Desist Order is lifted. (To commence on May 1, 2025.)

Housepurchase LLC and Mr. Butler are to continue to comply with all requests of Arapahoe County Public Health to remediate the nuisance, cease use of the septic system, and connect the property to the Sheridan Sanitation District #2, including by replying to each and every public health email and phone communication within 24 hours.

Failure to comply with this Order may subject you to arrest and Arapahoe County Public Health may initiate a civil or criminal enforcement action in the Arapahoe County District Court. It is unlawful to willfully violate, disobey, or disregard this Order. Any person who does so commits a class 2 misdemeanor and, upon conviction thereof, shall be punished by imprisonment in a county jail for up to 120 days, a fine of up to \$750, or both. C.R.S. § 25-1-516.

6. *STUDY SESSIONS

6.a. Introduction to State Regulation 86 for Graywater and HB 24-1362

Attachments: [4. 2025.04_ACPH BOH Graywater Presentation DRT2](#)

The purpose of this briefing is to provide an overview of State Regulation 86 on graywater use and House Bill 24-1362, which shifts graywater regulation to an "opt-out" model, effective January 1, 2026. Arapahoe County Public Health (ACPH) seeks the Board of Health's recommendation to the Board of County Commissioners on whether to prohibit or allow specific categories of graywater use within the county. The majority of the Board of Health supported prohibiting graywater usage in Arapahoe County, though some members also expressed concerns about water rights implications and all were open to discussing further if the Board of County Commissioners supported permitting some form of graywater use. The Board of County Commissioners will be provided with the Board of Health recommendation during the study session, scheduled June 10, 2025.

6.b.

Attachments: [BOH_WIC Deep Dive April 2025 \(1\)](#)

6.c.

Attachments: [BOH_Director's Report_2025 \(2\)](#)
[AllStaffPhotos_BOH_4.16.25](#)

7. EXECUTIVE SESSION AND COUNTY ATTORNEY LEGAL MEETING

No Executive Session was held at this time.

8. *ADJOURN

Arapahoe County is committed to making its public meetings accessible to persons with all abilities. Please contact the Board of Health Liaison (aschmidt@arapahogov.com) at least three (3) days prior to a meeting, should you require special accommodations.

*Items marked with an asterisk will be live streamed for public viewing.