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# HEALTH DEPARTMENT

*Serving Crowley & Otero Counties*

**Executive Director**  
Richard Ritter

**Program Directors**  
Chris Coffield, RHC  
Tarren Buford, Nursing  
Jo Jancar, WIC  
John Miller, Business  
Dr. Janell Maier, Epidemiology  
Donna Starck, Tobacco Control  
Su Korbitz, Environmental  
Dee Leyba, Communities That Care  
Arlene Cooke, OD2A

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## OTERO COUNTY BOARD OF HEALTH MEETING JULY 26<sup>th</sup>, 2022, 11:00 a.m. OTERO COUNTY COURTHOUSE, ROOM 107 LA JUNTA, COLORADO

- Members Present:** Dr. Paul Yoder, President and Medical Officer  
Lindsey Hart  
Dr. David Trujillo
- Member(s) Absent:** Dr. R.J. Nelson, Vice President  
Mark McCuistion
- Ex Officio:** John Hostetler, Otero County Commissioner  
Richard Ritter, BOH Secretary, OCHD Executive Director  
Amy White-Tanabe, Otero County Administrator
- OCHD Staff:** Tarren Buford, Nursing Program Director  
Chris Coffield, Regional EPR Trainer  
Dee Leyba, CTC Program Director  
Dr. Janell Maier, Regional Epidemiologist  
John Miller, Business Manager

### MINUTES

1. Call to Order: A quorum being present, the meeting was called to order by P. Yoder.
2. Public Notice Posting (Pursuant to C.R.S. 25-1-509(2)(f), C.R.S. 24-6-402 (2)(c)(I), & C.R.S. 24-6-402(2)(c)(III)): The 2022 BOH meeting schedule was posted on the BOH website on 11/30/2021, and this agenda was posted in the designated public locations in all OCHD offices and on the BOH website by 7/20/2022.
3. Public Comment: There were no public comments for items not on the agenda.

4. Consent Agenda (ACTION ITEM)

A. Approval of Minutes

- a. 5/31/2022 Regular BOH Meeting (Previously sent on 5/31/2022 and 7/19/2022)

B. Contract Ratification (Pursuant to C.R.S. 25-1-508 (5)(k) & C.R.S. 25-1-511 (3))

a. 2022-2023 CDPHE EPR Contract Amendment #5

- Amendment Contract Number: 2023-0163
- Purpose: CDPHE support for OCHD's local and regional EPR Program.
- Term: 7/1/2022-6/30/2023
- Amount: \$213,618.00
  - ✓ Decrease of \$959 over the previous contract amount of \$214,577.

b. 2022-2023 St. Pat's Lease Agreement

- Purpose: Lease agreement with the City of La Junta for CTC office space.
- Term: Through and including 11/30/2023.
- Amount: \$500.00/month
  - ✓ No change over the previous term amount.

c. 2022-2023 Crowley County Collaborative Management Program (CMP) Memorandum of Understanding (MOU)

- Purpose: Colorado Revised Statutes (C.R.S.) Section 24-1.9-102 authorizes the county department of human services/social services to enter memorandums of understanding with specific agencies for the purpose of promoting a collaborative system of local-level interagency oversight groups and individualized service and support teams to coordinate and manage the provision of services to children and families who would benefit from integrated multi-agency services.

- Term: 7/1/2022-6/30/2023

d. 2022-2023 Otero County Collaborative Management Program (CMP) Memorandum of Understanding (MOU)

- Purpose: Colorado Revised Statutes (C.R.S.) Section 24-1.9-102 authorizes the county department of human services/social services to enter memorandums of understanding with specific agencies for the purpose of promoting a collaborative system of local-level interagency oversight groups and individualized service and support teams to coordinate and manage the provision of services to children and families who would benefit from integrated multi-agency services.

- Term: 7/1/2022-6/30/2023

C. Approval of Consent Agenda and Approval/Ratification of Items Therein: D. Trujillo moved to approve the consent agenda, L. Hart seconded, motion carried.

5. Old Business

A. None

## 6. New Business

### A. Budget (Pursuant to C.R.S. 25-1-508 (5)(k) & C.R.S. 25-1-511 (3))

#### a. Financial Summary Report (Based upon Tyler Financial Systems reports dated 7/20/2022)

##### ➤ May 2022

- ✓ Revenues: \$65,987.13
- ✓ Expenditures: \$204,571.87
- ✓ Deficit: \$138,584.74
- ✓ Fund Balance: \$1,815,791.21

##### ➤ June 2022

- ✓ Revenues: \$117,949.71
- ✓ Expenditures: \$140,729.17
- ✓ Deficit: \$22,779.46
- ✓ Fund Balance: \$1,793,011.75

#### b. Approval of Expenditures: L. Hart moved to approve the May 2022 & June 2022 expenditures in the amounts of \$204,571.87 & \$140,729.17 respectively, D. Trujillo seconded, motion carried.

#### c. OCHD 2023 Budget: Last year, Otero County departmental budgets were due to county administration by mid-September. CRS 25-1-511(4) states “On or before September 1, 2008, and on or before September 1 of each year thereafter, a county board of health shall estimate the total cost of maintaining the county public health agency for the ensuing fiscal year, and the amount of moneys that may be available from unexpended surpluses or from state or federal funds or other grants or donations. On or before September 1 of each year, the estimates shall be submitted in the form of a budget to the board of county commissioners. The board of county commissioners is authorized to provide any moneys necessary, over estimated moneys from surpluses, grants, and donations, to cover the total cost of maintaining the agency for the ensuing fiscal year by an appropriation from the county general fund.” In order to meet this statutory deadline, R. Ritter will be completing a preliminary (version 1) of the 2023 budget in August (which has no BOH meeting scheduled) and then emailing the budget to BOH members. BOH members are asked to review this preliminary budget and submit any questions via email directly to R. Ritter. After BOH members have had an opportunity to review the preliminary budget, R. Ritter will then submit it to Amy White-Tanabe on or before 9/1/2022, to comply with the statutory provision. Please note, R. Ritter will receive more detailed budget information from county administration later in September, so this preliminary budget will be revised to reflect new information, and this “Version 2” will be brought to the BOH at its regularly scheduled meeting in September for review and approval. Staff salary adjustments required by the Colorado Department of Labor and Employment will be reflected in the 2023 budget.

#### d. 2021 OCHD Fiscal Performance (based upon Tyler Financial Reports dated 7/20/2022): At the end of 2021, OCHD’s fund balance was \$2,134,974.69, which represents an increase of \$405,390.91 over the 2020 year-end fund balance of

1,729,583.78. Revenues for 2021 amounted to \$ 1,913,964.54, and 2021 expenditures were \$ 1,508,573.63. OCHD received 103.74% of its budgeted revenues, and only expended 81.77% of its budgeted expenditures. This large surplus is following a current nation-wide trend. In a Pewtrusts.org article dated 5/10/2022 and entitled *Budget Surpluses Push States' Financial Reserves to All-Time Highs* ([Budget Surpluses Push States' Financial Reserves to All-Time Highs | The Pew Charitable Trusts \(pewtrusts.org\)](#)) the following statement appears “During fiscal 2021 alone, states grew their collective rainy day funds by \$37.7 billion, or an increase of roughly 50% from a year earlier—driving the total held among all states to a record high of \$114.6 billion. Moreover, amid widespread budget surpluses, states reported the largest annual increase in leftover general fund budget dollars (known as ending balances) in at least the past 21 years.”

- e. Fund Balance Multi-Year Perspective 2001-2021: At the beginning of 2001, the fund balance was \$181,723.74. At the end of 2021, the fund balance was \$2,134,974.69, which is 11.7485 times the beginning amount in 2001.
- f. Fund Balance Recommended Amounts: Good financial principals dictate having between 3 to 6 months (25%-50%) of the operating budget in the fund balance. OCHD's operating budget for 2022 is \$1,911,368.00 (Tyler Final Report dated 7/20/2022). 25% of this amount is \$477,842, and 50% is \$955,684. OCHD's fund balance beginning 1/1/2022 was \$2,134,974.69, which is approximately 111.7% (or 13.4 months) of the proposed 2022 operating budget.
- g. COVID-19 Funding Streams: The COVID-19 Pandemic not only visited upon us physical suffering and deaths, but a myriad of unanticipated complexities and hardships across virtually all aspects of life. For Colorado Local Public Health Agencies (LPHA), these complexities were numerous and significant, ranging from detailed, nuanced, and often-changing guidance on contact investigations/contact tracing, quarantine/isolation to a veritable mountain-like amount of pages upon pages of public health orders and executive orders. Added to this confusing and constantly changing landscape was numerous, different funding streams, with different PO numbers, Scopes of Work (SOW), deliverables, etc. The different COVID-19 funding streams include the following:
  - ✓ CARES 2020
  - ✓ OPHP CARES Rural 2020
  - ✓ IZ CARES 2020
  - ✓ CORE IZ
  - ✓ IZ Round 2
  - ✓ IZ Round 3
  - ✓ IZ Round 4
  - ✓ ELC Round 1
  - ✓ ELC Round 2
  - ✓ ARPA

Especially for small, rural LPHAs, the challenges of managing these oftentimes complex POs and accompanying SOW/deliverables are considerable. For COVID-

19 funding management, R. Ritter created and continues to utilize an Excel spreadsheet with numerous tabs that allocates funding and FTE percentages to non-siloed staff.

- h. Public Health “Funding Firehose”: Instead of the provision of adequate, sufficient, reliable, sustainable funding, LPHAs exist in a financially anemic state, even having to compete against one another for grant dollars. That is, until, a public health emergency emerges that triggers the opening of the short-lived public health “funding firehose”. Historically, significant PH funding increases have been tied to emergencies/scares, they are transient, and they are reactive instead of proactive. Examples include the following:

- a. Circa 2001: WNV
- b. Circa 2009: H1N1
- c. Circa 2016: Ebola (phases 1 & 2)
- d. Circa 2019-current: COVID-19

Staffing capacity (if any) that is built with this emergency funding is usually not sustainable and evaporates when the funding inevitably goes away. And, of course, the funds are categorical, siloed, and are dictated by the “use it or lose it” principle. This “use it or lose it” mentality can lead to making unnecessary and/or excessive purchases and, quite simply, waste. Governing Magazine, in its 8/16/2021 Edition, mentioned the “funding firehose” when it said “(do) we want to continue on the basis of let’s not invest now, but let’s spend \$16 trillion in the next pandemic.” Instead of being proactive with PH funding (provision of adequate, sufficient, reliable, sustainable funding), this course is reactive which tends to be less efficient and effective.

- i. COVID-19 Immunization Round 2 Unspent Funds Reversion: OCHD will be sending State Emergency Reserve (SER) funds back to CDPHE. Out of the PO total of \$269,074 (PO term ended on 6/30/2022), \$119,931.98 was used to support non-siloed OCHD staff FTE, which left a balance of \$149,142.02 that will revert back to the state’s emergency reserve fund. In the COVID-19 IZ Round 2 funding stream, CDPHE did not require the typical reimbursement request procedure of sending monthly invoices, but in an effort to get dollars quickly to LPHAs they disbursed the funds in quarterly payments with the stipulation that the funds must be spent by 6/30/2022. The majority of OCHD’s COVID-19 funds have been used to support non-siloed staff salary and fringe. This fiscal strategy allows the non-dedicated funds that formerly supported these non-siloed staff to augment the fund balance. The enormity of the “funding firehose” has allowed OCHD to support the majority of non-siloed staff over several COVID-19 funding stream fiscal cycles. Hence, the increase in the fund balance. However, once that full support is reached, then further subsidy can no longer be applied to that staff. This is tantamount to “double-dipping” and is strictly prohibited. The COVID-19 IMM Update Memo dated 2/23/2021, starting on page 3, states “This purchase order pays directly for the work your agency will be providing through the statement of work in your agreement. Per the scope of work - CDPHE will process fixed quarterly payments to the agency.

Supporting documentation must be maintained and may be requested to verify compliance is met with funding requirements by our monitoring team. During review of these expenditures from our COVID Contract Monitor and/or FRMS team, you should be prepared to show there was no duplication of benefits from other sources. Duplication of benefits can be defined as the receipt of funding from multiple sources, for the same purpose, and in an amount greater than the actual need. One example of this would be charging an employee's time to this agreement, and then submitting another invoice for your ELC grant for that same employee, putting the total employee's time over a 100% allocation.

B. Personnel

- a. ARPA Premium Pay: ARPA Premium Pay bonuses were dispersed to OCHD staff in their May 2022 paychecks (with the exception of R. Ritter). Full time and part time permanent staff received a one-time bonus of \$5,372.50, and temporary part time staff received \$1,000, for a total of \$86,960. R. Ritter did not apply any indirect cost recovery to this so that the full amount could go to staff. OCHD will be fully reimbursed for this expense.
- C. Bluestem Village Update: Dr. Yoder provided an update on the construction of Bluestem Village.
- D. AmeriCorps Member(s): R. Ritter is exploring the possibility of OCHD hosting 1-2 AmeriCorps members through the Trailhead Institute. The AmeriCorps members would become OCHD staff, OCHD would pay fringe benefits, and Trailhead would pay base salary. The initial term would be 1 year, or 2,000 hours. R. Ritter would assign the AmeriCorps member(s) to revive and implement community biometric screenings for cardiovascular disease risk. The Trailhead Institute is a Colorado-based nonprofit working to advance innovation and collaboration in public and environmental health.
- E. Crowley County Threat Incident: On 6/28/2022 a threat of violence was made in Crowley County. According to the KRDO News website ([Residents receive bomb, shooting threat text message targeting Crowley County - KRDO](#)), "Crowley County Sheriff's Office is investigating a recent text message sent to many people and businesses, threatening the public and officials in the town... The threatening text message reads the following: "We're done with Terry Reeves, Judge Medina, ect,. If they don't resign by the end of the day today innocent people are going to be hurt and or killed, we will start bombing and shooting up certain people, homes, and businesses if they don't, it's either there gone or lives of innocent people, this is not a [EXPLICIT] joke,. We're done with the [EXPLICIT] [EXPLICIT],"".
- F. Addendum/Addenda: None

7. Program Reports
  - A. CTC, Dee Leyba: General information
  - B. DCEP, Dr. Janell Maier: General information
  - C. EPR Training, Chris Coffield: General information
  - D. Vital Statistics, John Miller: General information
8. Executive Session: The Executive Session for the Executive Director's annual evaluation (pursuant to C.R.S. 24-6-402(4)(f)(I)) was postponed until the next BOH meeting.
9. Adjournment: With no further business, P. Yoder adjourned the meeting.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Richard Ritter', is written over a horizontal line.

Richard Ritter  
Secretary, Otero County Board of Health  
Executive Director, Otero County Health Department