
OTERO COUNTY BOARD OF HEALTH MEETING
NOVEMBER 28th, 2023, 11:00 a.m.
OTERO COUNTY COURTHOUSE, ROOM 107
LA JUNTA, COLORADO

Members Present: Dr. Paul Yoder, President and Medical Officer
Dr. R.J. Nelson, Vice President
Lindsey Hart
Dr. David Trujillo

Member(s) Absent: Mark McCuiston

Ex Officio: Richard Ritter, BOH Secretary, OCHD Executive Director

OCHD Staff: Marie Mora-Menges, Nursing Program Director
Chris Coffield, RHC
Su Korbitz, Environmental Services Program Director
Dee Leyba, CTC Program Director
Amber Ruiz, CTC Intern
Dr. Janell Maier, Disease Prevention & Control/EPR Program Director
John Miller, Business Manager

VWHS/SHG Laura DiPrince
Paul Sedillo

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 2023 BOH meeting schedule was posted on the BOH website on 12/15/2022, and this agenda was posted in the designated public locations in all OCHD offices and on the BOH website by 11/22/2023.
3. Public Comment: There were no public comments for items not on the agenda.
4. Consent Agenda (ACTION ITEM)
 - A. Approval of Minutes (previously sent on 9/27/2023 & 11/21/2023)
September 26th, 2023, Regular BOH Meeting
 - B. Contract Ratification (Pursuant to C.R.S. 25-1-508 (5)(k) & C.R.S. 25-1-511 (3))
 - a. 2023-2024 CDPHE WIC Option Letter #2
 - Option Letter Contract Number #: 2024*2478 Option Letter #2
 - Purpose: CDPHE support for OCHD's WIC Program.
 - Status: Fully Executed

- Term: 10-1-2023-9/30/2024
- Amount: \$195,843.00
 - ✓ Increase of \$1,193 over the previous contract amount of \$ 194,650.

C. Approval of Consent Agenda and Approval/Ratification of Items Therein: R. Nelson moved to approve the consent agenda and ratify the items therein, L. Hart seconded, motion carried.

5. Old Business: 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 11/21/2023)

➤ September 2023

- ✓ Revenues: \$137,175.46
- ✓ Expenditures: \$142,592.60
- ✓ Deficit: \$5,417.14
- ✓ Fund Balance: \$2,493,958.25

➤ October 2023

- ✓ Revenues: \$99,764.88
- ✓ Expenditures: \$131,332.20
- ✓ Deficit: \$31,567.32
- ✓ Fund Balance: \$2,462,390.93

b. Approval of Expenditures (ACTION ITEM): R. Nelson moved to approve the September 2023 & October 2023 expenditures in the amounts of \$142,592.60 & \$131,332.20 respectively, D. Trujillo seconded, motion carried.

c. 2023/2024 OCHD Budget Version 3.1 Approval and Adoption (ACTION ITEM)

➤ Version 2023.2024.3.1

✓ Overview

▪ 2023 BUDGET ESTIMATE

- REVENUE ESTIMATE: \$2,108,322
- EXPENDITURE ESTIMATE: \$1,717,717
- SURPLUS ESTIMATE: \$390,605

▪ 2024 BUDGET REQUEST

- REVENUE REQUEST: \$2,309,072
- EXPENDITURE REQUEST: \$2,309,072
- CONTINGENCY ESTIMATE: \$123,398

✓ Notes

▪ Version 3.0 was sent to the Otero BOCC and BOH on 11/8/2023, and Version 3.1 was sent on 11/27/2023.

▪ Version 3.0 Modifications

- a. Salary Sheet: Incorporated the revised salary sheets sent by Tina Mascarenas on 11/1/2023. COLA went from \$50 to \$100, and anniversary increases went from a maximum attainable (based upon performance evaluation) of approximately 3% to approximately 5%.

- b. CDC Infrastructure Funding: Incorporated both revenue and expenditure lines for the CDC Infrastructure Funding.
 - c. MRC STTRONG Grant: Incorporated MRC STTRONG Grant.
 - d. HRSA PRSS Grant Funding: Incorporated the PRSS funding that supports the new PRSS staff and program.
 - e. Special Events Line Items: Added the \$10,000 El Pomar grant to both the revenue and expenditure line items of Special Events and added \$5,000 to the expense side for the SECOR award that was received in 2023. These funds will be expended at the A Path Forward event in 2024.
- Version 3.0 Modifications
 - a. Internal Services: Per Tina Mascarenas' email dated 11/17/2023, the 2024 expenditure amount for Internal Services is \$7,241. This equates to an extra \$2,457 ($\$7,241 - \$4,784 = \$2,457$) over version 3.
 - b. Contingency: The increased Internal Services expenditure amount of \$2,457 was taken out of the Contingency expenditure line to keep the budget balanced. This reduced the Contingency line from \$125,855 to \$123,398.
 - Future Deficit Offsets: It is R. Ritter's intention to use the fund balance to support staff and operations during times of deficit, **which will happen, OCHD will have years when expenditures exceed revenues.** C.R.S. 29-1-103(2) states "No budget adopted pursuant to this section shall provide for expenditures in excess of available revenues and beginning fund balances." The foregoing applies to local government budgets, including OCHD's. Thus, deficits are allowed if there are reserves sufficient to cover them in addition to projected revenues.
- ✓ Approval/Adoption: L. Hart moved to approve and adopt the 2023/2024 OCHD Budget Version 3.1 as detailed above, R. Nelson seconded, motion carried.

B. Personnel

a. New Personnel

- David Hensel, Peer Recovery Support Specialist (PRSS): Mr. Hensel has joined the OCHD team as a PRSS trainee. He will work primarily with RESADA. Welcome Dave!

- ## C. Needle Disposal Kiosk Update, Dr. J. Maier: Following the previous BOH meeting, J. Maier followed up with several locations that currently have sharps kiosks placed and put together a pros and cons list. There was overwhelming positive feedback from almost all the host sites. Only one location had to remove a kiosk due to community concerns, but it is being moved to a new location. If a host site wishes for the kiosk to be removed, CDPHE will remove it at no cost to the host site. Here is the pros/cons list:
- a. Boulder Pillar (Boulder Community Health): Have two kiosks, one by Boulder creek and one that was in the community that had to be moved due to community pushback about being too close to the school. They also have syringe access near

their jail that is utilized by the community as well. The one from the school will be moved to the community hospital next to a vending machine with naloxone and a vending machine with wound care supplies. This was the only location that suggested doing some form of community outreach and advertising for the kiosks due primarily to the issues they had with the kiosk that was moved.

➤ Pros:

- ✓ Parks and Rec did see a decrease in needles at the school, the walking trails, park, and waterways. They had hundreds of pounds in a few weeks although some was trash.
- ✓ The library, law enforcement, and local businesses are finding fewer needles in parking lots.
- ✓ Bear-proof so no one can tamper/break into the kiosk.
- ✓ Piercing and tattoo parlors can dispose of sharps leading to a decrease in cost to the businesses who previously had to pay for sharps pick-up.

➤ Cons:

- ✓ Kiosks do get graffitied, but they work with parks and rec to clean them regularly.
- ✓ Placement is key, they did not think it was close to the school and there were no issues initially until a parent saw the kiosk. They partially attribute this to the kiosk being bright red and very noticeable, they requested green but were sent the wrong color.

b. Eagle County: Kiosk was requested by Parks and Rec. They have one kiosk downtown near a running trail/stream, not a traditional park. They do have the homeless camping in the area. They are currently looking at getting a second kiosk too because it is going well, it will be in the local park. They have not had any community pushback.

➤ Pros:

- ✓ Significant decreases in sharps that they are having to pick up.
- ✓ Entirely free and no issues with pick up.
- ✓ Very sturdy. They had tried placing them in restrooms at the park, but they were torn off the walls, so this has been a much better option.
- ✓ There have been no issues with the community, commissioners, city board, or businesses.

➤ Cons:

- ✓ Stated that they have no issues or problems at all with the kiosks.

c. Colorado Springs Rescue Mission: Kiosk is placed right outside the door of the rescue mission. There is another about three blocks away in one of the community parks. Both are used, they said that the park has several homeless people living there.

➤ Pros:

- ✓ Service is phenomenal, easy to work with and do not usually even see them when they come for pickup.
- ✓ Fewer needlesticks for security guards who check the clients coming into the mission.

- ✓ Both staff and residents feel safer.
 - ✓ Used to get two calls a week from surrounding residents about needle in streets/parking lots and those have stopped since the kiosks were placed.
 - ✓ Fewer needles are being found in the mission's parking lot/entryway it went from 6-7 every day to none.
 - ✓ Used to go through 8-12 sharps containers a month that they had to purchase and dispose of to none.
 - ✓ Used by the community as well as diabetic clients in the mission.
 - Cons:
 - ✓ They had no issues, "The kiosk is nothing but a blessing."
- d. Boulder Housing and Human Services: Have a kiosk placed behind city hall and in homeless camps in the area.
- Pros:
 - ✓ Decreases in needles found in public spaces.
 - ✓ They do not need to do anything at all with the kiosk.
 - ✓ Hard to break into.
 - ✓ No congregating even with homeless.
 - ✓ The dedicated homeless camp cleanup team has noticed a significant decrease in sharps.
 - Cons:
 - ✓ Placement – people doing the pickup and maintenance need easy access so it can limit where it is placed.
 - ✓ Hard to predict accurate usage, had about 69,000 pounds collected over a year, but some was trash.
 - ✓ Community misperception.
- e. Grand Valley Catholic Outreach (Mesa County): Currently have one in Grand Junction at the outreach and working on second one that will be placed at the soup kitchen. It is currently inside the outreach but will be moving it outside to make it more accessible and anonymous to hopefully increase usage. There was discussion initially about placing it in the community park and there was some concern, so it was decided to pick a different location. They are discussing placement near the courthouse as it is close to other services like Medicaid, food stamps, and WIC, in addition to being close to a bus stop. Anyone attending court would also have an easy disposal site before court.
- Pros:
 - ✓ Hassel free on their end.
 - ✓ Have gotten good feedback from their clients.
 - ✓ The kiosk is deep and has a metal flap inside so no one can reach into the kiosk.
 - Cons:
 - ✓ Color, they had requested brown but were sent red do they had to get a new one. They recommend getting a neutral color like brown or green, so it blends in a bit better.

- f. Mile High Behavioral Healthcare: They have several kiosks around Denver and Aurora. The kiosks are on their properties, which range from outpatient behavioral health centers to shelters for people experiencing homelessness and are prominently located out front.
- Pros:
 - ✓ Easy to set up and were reimbursed for the labor and cost of installation.
 - ✓ CDPHE schedules to pick up and sends out a monthly report so it is quite easy and convenient.
 - ✓ Surprised by how many sharps are destroyed at our locations monthly.
 - ✓ Not seen any congregation of use around our kiosks.
 - Cons:
 - ✓ They have not had any issues, “We have nothing but glowing remarks for the program!”

A picture of a kiosk



Laura DiPrince and Paul Sedillo, from Valley-Wide Health Service (VWHS)/Southeast Health Group (SHG), voiced their support for kiosk placement in our communities.

- D. 2024 Regular BOH Meeting Dates, Times, and Location (ACTION ITEM): D. Trujillo moved to keep the BOH meeting schedule the same, L. Hart seconded, motion carried. The 2024 schedule for regular BOH meetings will be as follows:
- a. Dates: Last Tuesday of every other month, beginning in January.
 - b. Time: 11:00 a.m.; &
 - c. Location: Otero County Courthouse, Room 107
- E. Reappointment of D. Trujillo to BOH (ACTION ITEM): D. Trujillo’s term as a BOH member expires on 12/31/2023, thus he needs to be re-appointed by the Otero County Commissioners for a 5-year term that would begin 1/1/2024 and expire 12/31/2028. D. Trujillo indicated his willingness to be reappointed to R. Ritter on 11/21/2023. R.

Nelson moved to recommend the reappointment of D. Trujillo to the BOH, L. Hart seconded, motion carried. D. Trujillo recused himself. The BOH expressed its gratitude to Dr. Trujillo for his continued service. R. Ritter will convey this recommendation to the Otero Board of County Commissioners.

- F. 2024 OCHD Medical Officer Approval/Renewal (ACTION ITEM): On 11/21/2023, Dr. Yoder indicated to R. Ritter that he was willing to serve another term as OCHD's Medical Officer. R. Nelson moved to approve Dr. Yoder as OCHD's 2024 Medical Officer, D. Trujillo seconded, motion carried. P. Yoder recused himself. The BOH expressed its gratitude to Dr. Yoder for his continued service in this necessary and important capacity.
- G. 2024 BOH Officers' Election (ACTION ITEM): R. Nelson moved to keep P. Yoder as President for 2024, L. Hart seconded, motion carried. P. Yoder recused himself. D. Trujillo moved to keep R. Nelson as Vice-President for 2024, L. Hart seconded, motion carried. R. Nelson recused himself. The group expressed their gratitude for Dr. Yoder's and Dr. Nelson's continued service as BOH officers.
- H. 2024 Executive Director Succession Plan (ACTION ITEM): In the event of R. Ritter's unexpected/sudden death or complete incapacitation, a succession plan will need to be implemented until the BOH can formally appoint a new administrator or R. Ritter recovers from said incapacitation. R. Ritter respectfully recommends the appointment of Dr. J. Maier to fill the position of Interim Executive Director. This general guidance on succession planning is a living, modifiable plan that cannot address all conceivable scenarios, and the BOH has the latitude to modify or alter this plan as it deems necessary. This arrangement supersedes any previously approved plans. It is R. Ritter's intent to have this plan reviewed and approved annually at the November BOH Meetings.

Below is a current list of the Executive Director's duties, which will come within the purview of the Interim Executive Director (unless otherwise noted below). R. Ritter has reviewed this list with Dr. Maier:

- a. Emergency Preparedness and Response
 - Incident Commander (IC)
 - Emergency Support Function 8 for both Crowley and Otero County
 - Southeast Region's Regional Transfer Point (RTP)
 - Health Alert Network (HAN) Coordinator
- b. Public Information Officer
- c. Otero County Registrar of Vital Statistics: This duty will be the duty of J. Miller
- d. Colorado Association of Local Public Health Officials (CALPHO) Representative
- e. OCHD Administration & Governance
 - Staff
 - ✓ Program Director Supervision
 - ✓ Staff Meetings
 - ✓ Hiring/Dismissing (Include Lori Burkhalter, Otero County Human Resources)
 - Board of Health Secretary

- Contract Management
- Budget/Funding
- Risk Management
- Law (Include Nate Shultz, OCHD Legal Counsel)
 - ✓ Enforcement
 - ✓ Meet duties/obligations of Colorado Revised Statutes, Code of Colorado Regulations and applicable CDPHE policies.
- Partner Relationships
- Signatory Authority

f. Approval: L. Hart moved to approve the succession plan as detailed above, D. Trujillo seconded, motion carried.

I. Addendum/Addenda: None

7. Program Reports

- A. CTC, Dee Leyba: General information
- B. DCEP/EPR, Dr. Janell Maier: General information
- C. Environmental Services, Su Korbitz: General information
- D. Nursing, Marie Mora-Menges: General information
- E. RHC, Chris Coffield: General information
- F. Vital Statistics, John Miller: General information

8. Executive Session: R. Ritter requested an executive session with the BOH Members regarding personnel, specifically the BOH's annual evaluation of the executive director. C.R.S. 24-6-402 (4)(f)(I) was cited as the statute authorizing the executive session. R. Nelson moved to convene into executive session, D. Trujillo seconded, motion carried. The BOH and R. Ritter then moved into executive session. The following Executive Session provisions were made explicit:

- For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to employees.
- Participants are to confine all discussion to the stated purpose of the executive session, and no formal action may occur in the executive session.
- If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the executive session, they are to interrupt the discussion and make an objection.
- After reconvening into regular, public session, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, they will state their concerns for the public record.
- Discussions that occur in an executive session shall be electronically recorded. The electronic recording shall reflect the actual content of the discussion in the executive

session. The sole exception to this requirement is that no electronic recording shall be required to be kept of that portion of an executive session that constitutes an attorney-client communication, in the opinion of the attorney in attendance at the executive session.

- The electronic recording device shall be tested before going into executive session to determine whether it is operating. In the event the electronic recording device is unavailable or not operating, the BOH shall not convene in executive session until an operating recording device is available.
 - Upon completion of the executive session, if a tape recorder is used, the tape shall be labeled with “BOH-Executive Session” and the date, and initialed or signed by the Presiding Officer. If a digital recorder is used, the data file recording of the executive session shall be saved to a secure, confidential storage location and the file shall be labeled with “BOH-Executive Session” and the date.
 - Executive session minutes kept by electronic recording device shall stand approved with no further action. If additional written minutes are taken, they shall be approved at a future executive session.
 - The electronic recording and any written minutes of the executive session shall be maintained for 90 days after the date of the executive session and shall not be disclosed to any person except as required by law.
9. Reconvene: The BOH reconvened into regular session. The Executive Session was recorded and will be kept on file for 90 days.
10. Executive Director’s Annual Evaluation: L. Hart made a motion that, over the course of the previous year, R. Ritter’s performance as executive director has exceeded expectations, and that R. Ritter will be given a \$6,400 annual increase to his current base salary. D. Trujillo seconded; motion carried. R. Ritter expressed appreciation for his continued employment and for the generous compensation increase.
11. Adjournment: With no further business, P. Yoder adjourned the meeting.

Respectfully Submitted,

Richard Ritter

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