



**Agenda**  
**CTSI Newly Elected Officials' Orientation**  
**Thursday, December 10, 2020**  
**Zoom Seminar**  
**8:00 am – 11:00 am**

8:00 – 8:15 am	<p><b><i>CTSI-Not Just For Today, But for Every Day of Your Tenure</i></b>  <b><i>An Introduction to CTSI and the County Self-Insurance Pools</i></b>  Project Management, Technical Updates, Salary Survey, Consulting, Investigations, Policies, Contracts, Grant Assistance  <b>John (Chip) Taylor, CTSI Executive Director</b></p>
8:15 – 8:45 am	<p><b><i>Healthcare – Making Sense of It All</i></b>  <b><i>The County Health Pool</i></b>  Advantages of Pooling your Employee Benefits, Who Can Become a Member, Board and Member Policy Statements, CHP Structure, Programs, Healthcare Reform.</p> <p><b><i>Protected! Insurance Coverage in Your Official and Personal Capacity</i></b>  <b><i>The Colorado Counties Casualty &amp; Property Pool</i></b>  Coverages, Limits, Board and Member Policy Statements, County Fairs, Special Events, Volunteers, Use of Vehicles, Contract Language.  <b>Meredith Burcham, CTSI Executive Deputy Director/Manager Risk Programs</b></p>
8:45 – 9:30 am	<p><b><i>Responsibilities of a County Commissioner-Easy to Understand-Easy to Access</i></b>  This session provides an easy to understand and easily accessible summary of your duties relating to budget planning, administration, legal requirements, and a host of other responsibilities.  <b>Dennis Hunt, CTSI Manager Administrative &amp; Grant Services</b></p>
9:30 – 9:45 am	<p><b><i>Not If, But When You Get Sued</i></b>  <b><i>The Colorado Governmental Immunity Act - A Tool to Protect You</i></b>  The CGIA: How and When it is Applicable; Exceptions; Legislative Changes; Case Law, Claims, Punitive Damages, Personal Liability.  <b>Enid Cordova, CTSI Property and Liability Claims Manager</b></p>
9:45 – 10:00 am	<p><b><i>Handling Executive Sessions, Media Issues and Employee Matters</i></b>  Executive Sessions for Personnel Decisions and Investigations  After the Executive Session –Your Response to the Media – It’s Not Just “No Comment”  <b>Dana N. Mumey, CTSI Senior Human Resources Specialist</b></p>
10:00 – 10:15 am	<p><b><i>Workers' Compensation Coverage</i></b>  The County Workers' Compensation Pool  <b>Kurt Muehler, CTSI Workers' Compensation Claims Manager</b></p>
10:15 – 10:30 am	<p><b><i>Let's Be Careful Out There – Loss Control Strategies</i></b>  Minimizing Your Risks through County Loss Control Programs  Loss Analysis Reports to Commissioners, Safety Committees, Classes, CTSI Resources  <b>Jon Wagner, CTSI Loss Control Team Lead</b></p>
10:30 – 10:45 am	<p><b><i>Landmines for County Commissioners</i></b>  Budgeting, Social Services, Land Use and Zoning  <b>Dennis Hunt, CTSI Manager Administrative &amp; Grant Services</b></p>
10:45 – 11:00 am	<p><b><i>Closing Remarks</i></b>  <b>John (Chip) Taylor, CTSI Executive Director</b></p>



**CTSI-Not Just For Today, But for Every Day of Your Tenure**  
*An Introduction to CTSI and the County Self-Insurance Pools*

**John (Chip) Taylor**  
**CTSI Executive Director**

**County Technical Services, Inc.**  
Newly Elected Officials' Orientation  
December 10, 2020





## **Your County Self-Insurance Pools**

### **County Health Pool**

### **County Workers Compensation Pool**

### **Colorado Counties Casualty & Property Pool**

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#### ***Formation of CHP, CWCP and CAPP***

The County Health Pool (CHP) formed in 1984, was the first of the three county-owned self-insurance pools formed by county commissioners. The County Workers Compensation Pool (CWCP) was next in 1985 and the Colorado Counties Casualty & Property Pool (CAPP) in 1986. All of the pools were formed so that counties could take control of their insurance programs. CAPP, in particular, was formed in response to insurance carriers who did not want county business. They viewed counties as poor risks. Rates were sky high or the insurers simply cancelled their policies.

The commissioners' timing for starting the pools was perfect. It was prior to TABOR and counties had the financial resources to capitalize the formation of their own insurance pools. It would be impossible to form pools today due to TABOR and other economic limitations.

We encourage pool members to look at their annual insurance costs as a complete package rather than by health, workers compensation or property or liability. As a full insurance package, your county receives all of the risk management and loss prevention services that CTSI has to offer its members rather than those only associated with one pool.

Pooling is a long-term commitment to financial stability with the goal of insulating members from the cyclic nature of the insurance industry. The industry continually goes up and down with its rates, giving sweetheart deals to acquire a book of business only to come back with increased premium rates later. For example, since 1985, only four counties have left the CWCP to go with Pinnacle. Within one to two years, all four rejoined and remain as members today.

#### ***CTSI's Closed-Loop Cash Flow Model***

With CTSI's closed-loop cash flow model for the pools and CTSI operations, county dollars are used repeatedly to benefit the members and their communities. ***Through this wise use of county funds by CTSI, the pool member counties now own the 800 Grant St. building-the mortgage was paid in full in June 2010.***

- Contribution funds are invested in local county banks generating interest for the community and the pools.
- Investment income offsets the administrative costs for pool and claims administration. These cost savings are passed on to the pools that pass the savings along to their members.
- The county-owned pools contract with county-owned CTSI for administrative services.
- County-owned CTSI purchased the 800 Grant St. building that houses the CTSI and CCI offices as well as business tenants who pay rent to CTSI.
- County-owned CAPP held the mortgage note for the building as an investment that earned mortgage interest, which CAPP credited to its membership, reducing member contributions and returning taxpayer dollars to the community.
- In June 2010, each of the three county-owned pools participated in a mortgage payoff plan and the CTSI building mortgage was paid in full.
- The county-owned office CTSI building provides the county lobbying organization, CCI, with a convenient downtown location just blocks from the State Capitol.
- With ample office space and parking, the 800 Grant St. building serves members well when they are in Denver. The upgraded facilities offer room for expansion as CTSI's services to counties continue to expand.

### ***Common Exposures and Risk***

Our member counties share common interests and exposures and are not lumped together with dissimilar companies such as construction, trucking, retail, etc. You know who is in your insurance program. Your county is one of a small number of policyholders rather than one of 50,000 or more. You get personal attention to your risk management program, your insurance questions and to every one of your county's claims. The relationship CTSI staff has with our member counties is superb.

CAPP's coverages are designed specifically for county governmental operations. No off-the-shelf insurance package can provide the broad coverage tailor-made for our CAPP members.

The CHP has the ability to include other public-entities in the program while retaining county control through board representation. CAPP and CWCP also have the ability to include certain outside entities such as multi-county health departments and transportation groups under the county's pool membership saving the county the cost of purchasing coverage outside of the pools while providing the broad coverages, low deductibles and high limits enjoyed by member counties.

### ***CWCP No Payroll Audit***

A goal of the founding commissioners was to be able to budget for their workers compensation premium prior to the beginning of a policy year and not be billed 18 months later for audited payroll. Under the audited payroll system, a county would not know its final contribution figure until about six months after the policy ends. CWCP still does not re-bill for audited payroll. How do we do that? We use the most recent actual payroll available. For example, in October 2019, we provided premium figures for 2020 so we used 2018 payroll since that was the most recent actual payroll available. In addition, your employees are covered for workers compensation during a policy year regardless when their payroll is booked.

The CWCP is the ***only workers compensation insurer that offers this advantage***. We have worked out the details of this structure to meet the commissioners' goal and the needs of regulatory agencies and excess insurers.

CWCP member employees receive regulatory required classes at no additional cost. For example, in 2019, 1,469 county employees attended one of the 64 mine safety classes and more than 498 county employees were certified for flagging – all of this at no additional cost to the county.

### ***CHP, CWCP & CAPP Distributes Funds to Member Counties***

The CHP keeps member rate increases to a minimum by maintaining conservative surplus levels to offset health industry cost increases brought on by legislative and regulatory changes. At June 30, 2020, CHP's equity was \$10.4 million.

The 2021 \$1.5 million equity distribution to CWCP's 50 member counties is a benefit of long-term membership. At June 30, 2020 CWCP's equity was \$18 million.

CAPP's 52 members were credited with \$1 million in equity and \$700,000 in projected interest toward 2021 contributions and as of June 30, 2020, member equity stands at \$12.5 million.

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## ***Your County Self-Insurance Pools All County-Owned, County-Operated And Non-Profit You Can't Get More Local!***

Your county can't get more local than being invested as an owner of its own insurance programs and pool administration company. Your county's return on investment goes right back to your community through savings and the distribution of pool equity.

Commissioners and administrators from member counties make up the boards of CTSI, CHP, CWCP and CAPP. These people are from member counties like yours and know county operations and the special insurance, risk management and administrative needs of local county governments.

# County Technical Services, Inc.

Commitment  
Technology  
Service  
Innovation



Solutions for the road ahead. Not just insurance.



**The counties of Colorado rely on CTSI for high-quality insurance products, cutting-edge loss prevention, superior communications, and outstanding technical and consulting services tailored to meet their needs.**

In the mid-1980s, when Colorado counties faced extremely high commercial insurance costs, Colorado county commissioners united to form their own self-insurance pools. The counties pooled their resources and formed the County Health Pool, the County Workers' Compensation Pool and the Colorado Counties Casualty and Property Pool. CTSI administers the three pools and provides technical services beyond those specifically related to insurance. We provide improved risk management and loss prevention services, training and employee education, human resources assistance, grant writing and county administration services and other value-added services, such as management and regulatory consulting. New services are added regularly to satisfy county needs.

Because CTSI's Board of Directors is comprised of elected officials and county staff from throughout Colorado, we have our finger on the pulse of county activities and can respond quickly to meet the service and training needs of members. CTSI has proven to be extremely valuable to members. CTSI helps counties both by addressing their day-to-day insurance and loss prevention needs, and by guiding them through the rough spots when the unexpected happens. Members benefit from CTSI's expertise at keeping today's loss costs in check, which in turn keeps insurance rates down. CTSI's insurance expertise, coupled with other CTSI value-added services, provides counties with the means to manage numerous other operational costs.

When your county needs assistance, call CTSI. We have the expertise, resources and experience to develop programs designed to meet your particular needs. Most of our services are offered to members at no cost. Nonmembers are welcome to use CTSI services on a fee-for-service basis.

County owned and operated, CTSI is an integral resource to county governments. Our varied products and services, and our unflinching commitment to counties have propelled CTSI into a membership success story.



[www.ctsi.org](http://www.ctsi.org)

# County Technical Services, Inc.

## *More Than Insurance*



### CTSI OFFERS A WIDE RANGE OF PRODUCTS AND SERVICES, INCLUDING:

CTSI, the service arm of county government, is here to help you.

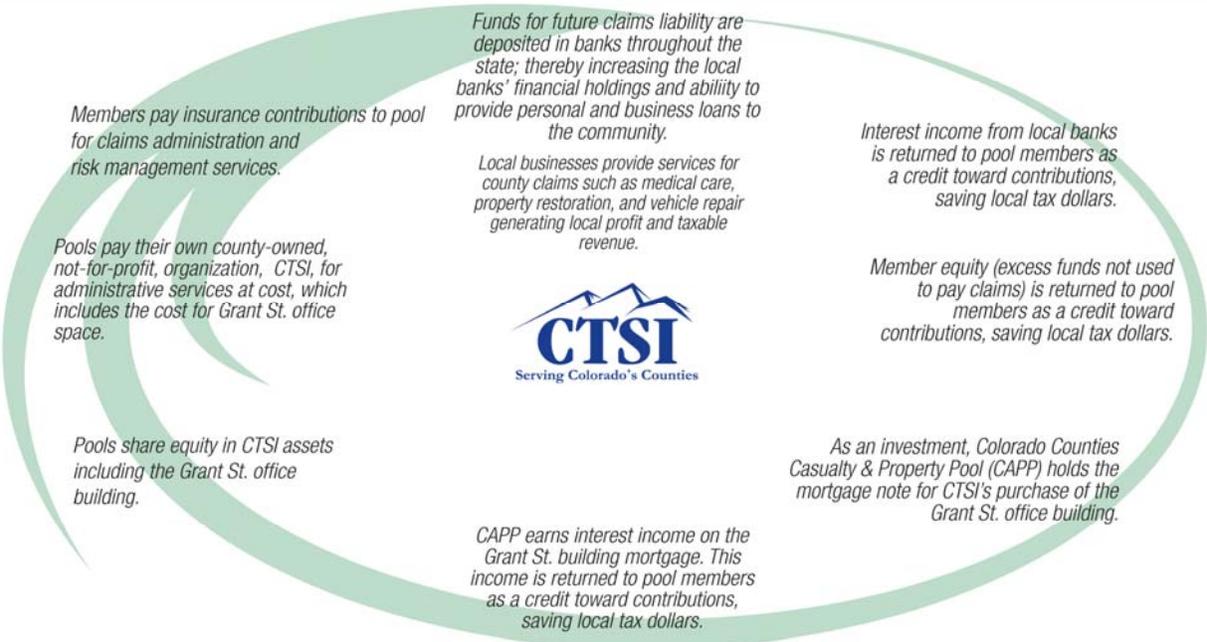
- Management consulting services
- Risk Management
- Loss Prevention Services
- COBRA and HIPPA Administration
- Workers' compensation insurance through the County Workers' Compensation Pool
- Property and liability insurance through the Colorado Counties Casualty and Property Pool
- Health care coverage through the County Health Pool
- Ancillary insurance programs
- Workers' compensation claims administration
- Property and liability claims administration
- Third-party claims administration services for self-insured governmental entities
- Claim consultation and review
- Health Awareness newsletter
- Technical Updates on legal and regulatory issues
- A library of reference books, videos and other training aids.
- Information on rules, regulations and requirements
- Latest case law affecting county practices
- Human resources personnel training
- Salary surveys
- Review of county policies and practices
- Health, safety and regulatory training for elected officials and county employees
- Grant writing
- County administration services
- Review of proposed building plans



800 Grant Street  
Suite 400  
Denver, CO 80203  
303.861.0507  
www.ctsi.org

**AND SO MUCH MORE . . .**

# Your County-Owned Pools - You Can't Get More Local!



**The value of your contribution dollar is unsurpassed with the pools' "closed loop" cash flow model.**

## "Controlled privatization" Public sector control with private sector performance.

County owned and operated – you can't get a more efficient use of local tax dollars.





**Healthcare – Making Sense of It All**  
*The County Health Pool*

**Meredith Burcham**  
CTSI Executive Deputy Director/Manager Risk Programs

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## County Health Pool Benefits Overview

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CHP offers Members flexible benefit packages for employees. Employers may select their own tailored benefits package under the following options:

### **MEDICAL**

#### **PPO Plan A (In Network)**

- No deductible
- \$3,500 individual/\$9,000 family OOP maximum (deductible applied towards OOP maximum)
- 80/20% co-insurance for covered procedures with various co-payments
- \$50 annual prescription deductible
- Retail and Mail order prescription coverage

#### **PPO Plan B500 (In Network)**

- \$500 individual/ \$1,000 family deductible
- \$3,750 individual/\$9,500 family OOP maximum (deductible applied towards OOP maximum)
- 80/20% co-insurance for covered procedures and various co-payments
- \$75 annual prescription deductible
- Retail and Mail order prescription coverage

#### **PPO Plan B1000 (In Network)**

- \$1,000 individual/ \$2,000 family deductible
- \$4,250 individual/ \$10,500 family OOP maximum (deductible applied towards OOP maximum)
- 80/20% co-insurance for covered procedures and various co-payments
- \$75 annual prescription deductible
- Retail and Mail order prescription coverage

#### **PPO Plan B1500 (In Network)**

- \$1,500 individual/ \$3,000 family deductible
- \$4,750 individual/ \$11,500 family OOP maximum (deductible applied towards OOP maximum)
- 80/20% co-insurance for covered procedures and various co-payments
- \$75 annual prescription deductible
- Retail and Mail order prescription coverage

#### **PPO Plan B2000 (In Network)**

- \$2,000 individual/ \$4,000 family deductible
- \$5,250 individual/ \$12,000 family OOP maximum (deductible applied towards OOP maximum)
- 80/20% co-insurance for covered procedures and various co-payments
- \$75 annual prescription deductible
- Retail and Mail order prescription coverage

### **PPO High Deductible Health Plan 2000 (In Network)**

- \$2,000 individual/ \$4,000 family deductible
- \$5,000 individual/ \$6,850 family OOP maximum (deductible applied towards OOP maximum)
- 80/20% co-insurance for covered procedures and various co-payments
- Prescription coverage is subject to medical deductible
- Retail and Mail order prescription coverage
- Compatible with a Health Savings Account (HSA)

### **PPO High Deductible Health Plan 2500 (In Network)**

- \$2,500 individual/ \$5,000 family deductible
- \$5,000 individual/ \$6,850 family OOP maximum (deductible applied towards OOP maximum)
- 80/20% co-insurance for covered procedures and various co-payments
- Prescription coverage is subject to medical deductible
- Retail and Mail order prescription coverage
- Compatible with a Health Savings Account (HSA)

\*\*The HDHP 2000 and HDHP 2500 plans are both considered non-embedded plans, if you select family membership, no individual deductible and/or OOP maximum applies and the family deductible and/or OOP maximum must be met.

In addition to the preventive coverage at 100% (subject to federal guidelines and age recommendations), the County Health Pool provides the following preventative benefits;

- Annual Health Fair Reimbursement (\$40)
- Annual Flu Shot Reimbursement (100%)
- CDL physicals every 2 year for employment covered at 100%
- Annual Firefighter physicals for employment (subject to funding cap)
- Educational Training
- Monthly Health Awareness Letter

## **DENTAL**

### **Dental Plan A**

- \$50 individual/ family deductible
- \$1500 annual maximum
- 100% coverage for cleanings once every 6 months
- 80/20% co-insurance for covered procedures

### **Dental Plan B**

- \$50 individual/family deductible
- \$1500 annual maximum
- 100% coverage for cleanings once every 6 months
- 80/20% co-insurance for covered procedures
- No orthodontic or prosthodontic coverage

## **VISION**

- \$15 co-payment per eye exam (allowed once every 12 months)
- Allowance for eyeglass lenses, frames and contact lenses is \$120.00
- Discounts provided for additional lenses and other various coverage

## **LIFE**

- CHP Members required to provide \$10,000 in coverage of the Basic Life and Accidental Death and Dismemberment coverage to employees
- Additional Basic Life and AD &D coverage is available
- Dependent Life and Supplemental Life Options available

This list is a summary, for complete details on coverage, the County Health Pool Plan Benefit Summaries and Plan Documents are available at [www.ctsi.org](http://www.ctsi.org)



## County Health Pool

CHP Documents available at [www.ctsi.org](http://www.ctsi.org)

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### **The Pools-CHP**

- Medical, Dental and Vision Benefit Summaries
- Medical, Dental and Vision Plan Documents
- Health Awareness (CHP's Monthly Newsletter)
- Medical, Dental, Retail and Mail Order Rx Claim Forms
- FAQ's
- List of Current CHP Board of Directors
- CHP Board of Director and Member Meeting Schedule
- Links to Anthem and VSP websites

### **Members Only Section**

- General Policies and Bylaws
- CHP Webinars
- Contact Manual

www.ctsi.org



Login: CWCP, Password: WorkersComp800

Login: CAPP, Password: Property&Liability

Login: CHP, Password: HealthPool800



**Protected! Insurance Coverage In Your Official and Personal Capacity**  
*Colorado Counties Casualty & Property Pool*

**Meredith Burcham**  
CTSI Executive Deputy Director/Manager Risk Programs

**County Technical Services, Inc.**  
Newly Elected Officials' Orientation  
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**Colorado Counties Casualty & Property Pool**  
**Summary of Coverage and Named Insureds**

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***CAPP Coverage Summary***

<b>Coverage</b>	<b>Limits</b>	<b>County Deductible</b>
General Liability	\$10,000,000	\$0
Public Officials Liability	\$10,000,000	\$0
Law Enforcement Liability	\$10,000,000	\$0
Employment Termination Liability	\$10,000,000	\$10,000
Network Liability	\$5M/Pool-\$1M/County	0
Buildings & Personal Property	\$100,000,000 Replacement cost	\$500
Mobile & Contractors Equipment	Actual Cash Value	\$500
Crime and Employee Dishonesty	\$1,000,000	\$500
Auto Liability	\$10,000,000	\$0
Auto Physical Damage	\$5,000,000	\$500
Summary of Coverage-Policies contain actual terms and conditions.		

***CAPP-Persons or Entities Insured***

Each of the following is an Insured to the extent set forth below:

(A) The Named Insured. The Named Insured includes the Named Insured stated in the Declarations and each Participating Member County (as scheduled in the Named Insured Endorsement).

(B) Those individuals who were or now are elected or appointed officials of the Named Insureds, including members of their governing bodies or any other committees, trustees, boards or commissions of the Named Insureds; district attorneys, their assistants and staff while acting for or on behalf of district attorneys; agents, volunteers, and Useful Public Servants; all of the foregoing while acting for or on behalf of the Named Insureds.

Exception: Members of the following boards or commissions are not Insureds: Housing Authorities, Port Authorities, School Boards, or Railroad Boards.

(C) Past or present employees of a Named Insured while acting for or on behalf of a Named Insured.

(This is an overview; the CAPP Insuring Agreements contain further language regarding Named Insureds.)

## Colorado Counties Casualty & Property Pool Policy Statements Regarding Coverage

The following policy statements have been adopted by the CAPP Board of Directors and/or the CAPP membership to define more clearly the coverage afforded to members of CAPP with regard to specific situations to the extent that coverage is provided through CAPP. These policy statements should be reviewed before entering into any contract in which the county is asked to provide insurance coverage

- Coverage of District Attorneys
- Exclusion of Inmate Medical Payments
- Employment Termination Claims
- Breach of Contract Claims
- Waiver of Subrogation
- Acceptance of Notice of Claim
- Lawyer's Professional Liability
- Claims for Relief  
Injunctive, Declaratory or Other Equitable Relief and Claims Under 42.U.S.C.1988
- Takings Claims
- Crime Coverage
- Pesticide and Herbicide Operations
- Coverage for Personal Tools
- Guidelines for Contracts Involving Insurance Commitments
- CWCP & CAPP Criteria for Coverage for Sponsored Membership
- Member Responsibilities Regarding Coverage of Outside Entities

# Public Officials' Liability and Crime Coverage

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## ***CAPP Coverage***

As a CAPP member county, named insureds have \$10 million in public officials' liability (E&O) coverage and \$1 million in crime coverage. These coverages are greater than the prior statutory bond requirements and are provided through your CAPP coverage at no additional charge.

## ***Purpose of HB 10-1062***

Surety bonds were originally meant to protect taxpayers against wrongdoings on the part of county officials. However, the surety bond protection is outdated and HB 1062 enacted in 2010 allowed counties to purchase insurance that protects taxpayers in a more comprehensive manner than a surety bond.

Additionally, using insurance instead of sureties is preferred because in the past, a county official could be held personally liable for court costs resulting from a frivolous lawsuit. Indemnification clauses in the surety bond contracts require the county or the county official to reimburse the court costs that the surety bond company takes on, even if the lawsuit is thrown out of court. Insurance contracts do not have such personal indemnification clauses.

*30-10-110. Bonds or insurance of officers - oaths. (2) In lieu of the bond required by subsection (1) of this Section, a county may purchase crime insurance coverage on behalf of the county officer and county employees to protect the people of the county from any malfeasance on the part of the officer while in office or employees.*

## ***Grant Applications***

In some instances, when applying for a grant, the county may be required to secure a bond as a condition of receiving the grant. You should ask the grant agency if your CAPP coverage will suffice, but they may still require a bond. In these cases, the county should purchase a bond in order to move forward with the project.

## ***Activities Outside of CAPP Coverage***

If you participate on a board that is not insured by CAPP and are required to have a surety bond, a bond will need to be purchased for that purpose.

## CWCP & CAPP Vehicle Insurance Issues

The following information is to give you an overview of auto insurance. This information IS NOT for coverage or claim determinations. Each claim has its own circumstances, so coverage and liability will vary –each claim is handled individually. CAPP does not give up its right to subrogation.

It can generally be said that whoever is at fault is ultimately responsible for the claim costs for everyone involved in the accident. ***For these examples, assume the county driver is at fault for an accident; the accident involves another vehicle, and; there is bodily injury and property damage.***

### ***Example 1. County employee driving county vehicle ON county business.***

Employee is covered by workers' compensation for their injuries.

CAPP may cover other claim costs for non-county passengers and other vehicle.

### ***Example 2. County employee driving county vehicle NOT on county business.***

CAPP auto coverage is for vehicles being used for county business. There could be a coverage issue.

No workers' compensation coverage for injuries, the employee is responsible for own medical costs.

CAPP may or may not cover other claim costs for passengers and other vehicle under general liability.

### ***Example 3. County employee driving own vehicle ON county business.***

Employee is covered by workers' compensation for injuries.

The employee's auto insurance is the primary insurer for liability and property damage. Liability coverage through CAPP may be available after the primary liability limits are reached. Under recent case law, the Colorado Governmental Immunity Act may be applicable when a personal vehicle is used in the scope and course of county operations.

### ***Example 4. Non-county employee permitted to drive county vehicle ON county business.***

No county workers' compensation coverage for non-employee.

Driver would be responsible for own medical expenses.

CAPP may cover other claim costs for passengers and other vehicle.

### ***Example 5. Non-county employee permitted to drive county vehicle NOT on county business.***

CAPP auto coverage is for vehicles being used for county business. There could be a coverage issue.

No county workers' compensation coverage for non-employee. Driver would be responsible for own medical expenses.

CAPP may or may not cover other claim costs for passengers and other vehicle under general liability.

### ***Example 6. Non-county employee permitted to drive county vehicle NOT on county business with a county employee as passenger.***

CAPP auto coverage is for vehicles being used for county business. There could be a coverage issue.

No county workers' compensation coverage for employee or non-employee.

Driver and passenger would be responsible for own medical expenses.

CAPP may or may not cover other claim costs for passengers and other vehicle under general liability.

## Summer Time is County Fair Time

It's that time of year when counties across the state plan their county fairs. Your county can limit its risk exposure and promote a safe environment by following these tips.

Post your facilities with equine liability signage. Colorado law allows counties to protect themselves from potential liability involving equine activities such as rodeos and horse shows due to the inherent risks involved with activities associated with horses and llamas. To be immune, the county must post warning signs or correct known dangerous conditions that could lead to injuries for participants in these activities. Willful negligence is not excluded from liability.

### Maintain Walkways and Fairgrounds

It's not uncommon for a fairgoer to be injured from a slip and fall. Minimize your risk by assigning personnel to keep the walkways free of debris and maintained in good condition. If a member of the public is injured while on county property, CAPP provides premises medical pay coverage.

Make sure fencing is secure, especially in the rodeo arena. There has been more than one instance when a steer has crashed through a fence and injured spectators.

### Insurance Coverage for the County Fair Board and its Volunteers

Colorado Counties Casualty & Property Pool (CAPP) member county employees, appointed boards, and county volunteers have liability coverage through CAPP. The County Workers Compensation Pool provides workers' compensation to member county employees and appointed board members while in the scope and course of their duties for the county. Fair volunteers (except certain statutory volunteers) are not covered for workers' compensation. Volunteers should sign a waiver form. The CWCP & CAPP Op-

erations Manual has sample waiver forms online at [www.ctsi.org](http://www.ctsi.org), Members Only, County. Call CTSI for login information. A volunteer accident protection plan is available through CTSI, which provides minimal medical coverage secondary to the person's own health insurance for non-statutory volunteers. Contact Brenda at CTSI, (303) 861-0507, ext 110 for more information.

### Event Participants

Event participants are not eligible for premises medical pay and are not covered for liability or injuries to themselves. Participants should sign waivers of liability.

### Vendors at the County Fair

CAPP does not protect or defend the liability of vendors or service providers at the fair. For example, the stock producers for your rodeo or food vendors must have their own liability insurance.

### People Using County Facilities

For other summertime activities, people often use or rent the county's property for a private event such as a wedding reception, dance or flea market. CAPP does not protect or defend the liability of non-county people putting on an event at your fairgrounds or county property.

Tenant Users Liability Insurance Program (TULIP) coverage is available to cover the people putting on the event because if they do not have their own liability insurance, their personal assets could be at risk. Contact CAPP's broker, Anita Bruner at (800) 889-2614, for a quote.

### What This Means to Counties

By following these tips, you'll keep your county's summertime festivities fun and safe and limit your county's risk. Contact CTSI for more information. 

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## SB20-217: Law Enforcement Integrity Act

**S**B20-217, concerning law enforcement accountability and signed by the Governor on June 19, includes several provisions that have implications for pool insurance coverage. A PDF of the signed act is available at [https://leg.colorado.gov/sites/default/files/2020a\\_217\\_signed.pdf](https://leg.colorado.gov/sites/default/files/2020a_217_signed.pdf).

### SB20-217 & CAPP

Based on the manuscript form of the CAPP policy, which is designed to meet the current and expanding needs of counties, claims that arise under the new provisions contained in SB 20-217 will be handled in the ordinary course of business, like all other claims against a member county.

Every claim has its own facts and circumstances that affect how the claim is treated. Particularly when the law is changed in a way that is intended to expand liability, there are some unknowns about how it will be interpreted. However, CAPP property coverage continues to apply to county-owned property, including body-worn cameras and dashboard cameras. CAPP's liability policy still covers a deputy's conduct, like any other county employee, unless the deputy's employer determines that they did not act in good faith or a reasonable belief in the lawfulness of their actions.

### CAPP & Risk Management

Some CAPP member counties have asked about providing guidance and support to their law enforcement

officials and have proactively indicated that they "intend to indemnify" their deputies, including the costs of legal defense, unless the deputy is convicted of a criminal violation. While it is difficult to assess a deputy's good faith or reasonable belief before their conduct has occurred, under the new law, it is within the employer's discretion to make that determination.

Good risk management practice suggests that members should have conduct policies in place, train on adherence to the policies, and hold violators accountable.

### What This Means for Counties

The statutory expansion of liability means it is more important than ever for county officials and employees to be aware of the laws and policies that guide their conduct and to abide by them. If you have questions about the law or the numerous training opportunities that are available to CTSI members, contact us at 303 861 0507 or visit [www.ctsi.org](http://www.ctsi.org). 



## Colorado Counties Casualty & Property Pool

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<b>CAPP Basis of Contribution Calculation</b>
Property (buildings, contents and mobile equipment) at .28 per \$100 of value.
Vehicles at \$430 each.
Liability at .95 per \$100 of total revenue from county's renewal worksheet.
Miles of road at \$14 per mile.
<b>Equals Total CAPP Exposure</b>
<b>Loss Rate Calculation</b>
County's % of Total Pool Loss
Divided By
County's % of Total Pool Exposure
<b>Equals CAPP Loss Rate</b>
<b>Loss Rate gives a debit or credit</b>

## County Workers Compensation Pool

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<b>CWCP Basis of Contribution Calculation</b>
2019 Payroll
Payroll at classification rates
<b>Equals Total CWCP Manual Premium</b>
<b>Loss Rate Calculation</b>
County's % of Total Pool Loss
Divided By
County's % of Total Pool Exposure
<b>Equals CWCP Loss Rate</b>
<b>Loss Rate gives a debit or credit</b>

# CTSI Technical Updates

## CAPP and CWCP Operations Manual

## CAPP and CWCP Insuring Agreements



Login: CWCP, Password: WorkersComp800

Login: CAPP, Password: Property&Liability

Login: CHP, Password: HealthPool800



## **Responsibilities of a County Commissioner**

*Easy to Understand-Easy to Access*

**Dennis Hunt**

**CTSI Manager Administrative & Grant Services**

**County Technical Services, Inc.**  
Newly Elected Officials' Orientation  
December 10, 2020





**Statutory Requirements  
of the  
Board of County Commissioners**

**Prepared by County Technical Services, Inc.  
December 2020**

*It is neither the purpose nor intent of the following information to make legal interpretations and does not represent an official position of the preparer. This information is designed only to serve as a general reference. The county and the board of county commissioners should always seek the advice and counsel of their county attorney.*

## **Statutory Requirements of the Board of County Commissioners**

- **The board SHALL (statutorily required) approve the establishment of precincts and polling places as established by the county clerk and recorder. C.R.S. 1.5.101 .....5**
- **The board SHALL (statutorily required) provide and maintain courtroom(s) and other court facilities. C.R.S. 13-3-108 (1).....6**
- **The board SHALL (statutorily required) examine the county jail and its operation at a minimum of once annually. C.R.S. 17-26-126.....7**
- **The board SHALL (statutorily required) approve expenses and fund a majority of the office of the district attorney either totally or proportionally, depending if the county is a member of a multicounty district or the county is its own district. C.R.S. 20-1-302 .....10**
- **The board SHALL (statutorily required) designate annually, at the first meeting, the public place(s) where the posted notice(s) and agenda of the public meetings or hearings will be located. C.R.S. 24-6-402. (2)(c).....11**
- **The board SHALL (statutorily required) post any meeting at which action is taking place or proposed to take place or a quorum of the board is present, a minimum of 24 hours in advance of the meeting. C.R.S. 24-6-402. Meetings – open to public.....11**
- **The board SHALL (statutorily required) designate the official newspaper of the county. This requirement is covered in various statutes addressing numerous specific publication requirements.....18**
- **The board SHALL (statutorily required), by resolution, establish and maintain a county or district public health agency. C.R.S. 25-1-506 (1).....18**
- **The county SHALL (statutorily required) establish a county department of social services to provide public assistance and welfare activity. C.R.S. 26-1-115(1) .....26**
- **The board SHALL (statutorily required) sit as the board of social services. C.R.S. 26-1-116 (1) (a).....26**
- **The board SHALL (statutorily required) appoint a county department of social services/human services director or acting director. C.R.S. 26-1-117(1).....27**
- **The board SHALL (statutorily required) establish the office of veterans services and provide a veterans services officer. C.R.S. 28-5-801(1).....30**

- The board SHALL (statutorily required) designate or appoint a person to prepare the budget for the upcoming year. C.R.S. 29-1-104.....31
- At the time the board receives the preliminary budget, prior to October 15th of each year, the board SHALL (statutorily required) cause to have published a date and time at which the board will consider adopting such budget, supply information on where the public may view the preliminary budget and a statement notifying electors that they may file an objection to the budget. C.R.S. 29-1-106 .....31
- The governing body SHALL cause a certified copy of the budget, including the budget message, to be filed in the office of the division. C.R.S. 29-1-113 .....31
- The board SHALL (statutorily required), by resolution, adopt the budget and make appropriations for the upcoming budget year prior to certifying a county mill levy. C.R.S. 29-1-108 (2) .....32
- The board SHALL (statutorily required) cause an annual inventory to take place of county property, both real and personal. C.R.S. 29-1-506.....32
- The board SHALL (statutorily required) cause to be made an annual audit of the financial statements of the county each fiscal year. C.R.S. 29-1-603 .....33
- The board SHALL (statutorily required), not less than once annually, establish a rate for “Emergency Telephone Service”. C.R.S. 29-11-102 (1)(II)(b) .....34
- The board SHALL (statutorily required) approve the appointment and compensation of the deputies, assistants and employees of the county clerk and recorder, county treasurer, county assessor, county coroner, and surveyor. C.R.S. 30-2-104 (1) (a).....36
- The board SHALL (statutorily required) approve the compensation of the undersheriff and the deputy sheriffs appointed by the sheriff. C.R.S. 30-2-106 (1).....37
- The board SHALL (statutorily required) designate, by resolution, the county’s office hours by days and hours, including an annual holiday schedule for all county offices. C.R.S. 30-10-109 .....37
- The board SHALL (statutorily required) conduct meetings at the county seat at least one business day each month. In counties with a population over 100,000, the board SHALL (statutorily required) hold at least two meetings in each week of the year except for July and August. C.R.S. 30-10-303 (1) & C.R.S. 30-10-304.....38
- The board SHALL (statutorily required) divide the county into three compact commissioners’ districts. C.R.S. 30-10-306 (1).....38
- The board SHALL (statutorily required) choose one of the members as chairman at the first meeting after an election. The board may also designate a vice-chairman at this time. C.R.S. 30-10-307.....39

- The board SHALL (statutorily required) approve and designate, by resolution, financial institutions that the county is to use as depositories of funds. C.R.S. 30-10-708 (1).....39
- The board SHALL (statutorily required) create, by resolution duly adopted, the office of county manager, or administrative assistant to the BOCC, or county budget officer, or any other such office. C.R.S. 30-11-107 (1) (n) .....43
- The board SHALL (statutorily required) annually, furnish the assessor suitable blank assessment rolls and suitable books, stationery and office equipment for the use of each of the county officers. C.R.S. 30-11-113 .....51
- The board is responsible (statutorily responsible) for the maintenance of the general accounting records of the county. C.R.S. 30-11-121 .....52
- The board SHALL (statutorily required), no later than January 1, 2011, determine whether there are fire hazards within the county; and if it is determined that there are, the county SHALL (statutorily required) prepare a community wildfire protection plan. C.R.S. 30-15-401.7 (3) (b) .....77
- The county SHALL (statutorily required) provide for the burial of any person who dies within the county and does not leave sufficient funds for such burial. C.R.S. 30-17-104 .....82
- If the board determines to undertake a temporary general assistance program, it SHALL (statutorily required) establish a temporary general assistance account for such purpose. C.R.S. 30-17-105 .....82
- The board SHALL (statutorily required) establish a fund known as the county general fund. C.R.S. 30-25-105 .....84
- The board SHALL (statutorily required) carefully examine the county orders returned by the treasurer with the record of orders at a minimum of twice each year, in January and July. C.R.S. 30-25-108 .....85
- The board SHALL (statutorily required) audit and allow, or disallow, all claims or demands against the county. C.R.S. 30-25-110 (1).....85
- The board SHALL (statutorily required) publish a report of each claim not less than monthly, and within 30 days following the end of the period for which the claim is made. The board SHALL (statutorily required) also publish a semiannual financial statement furnished by the treasurer within 60 days following June 30 and December 31. C.R.S. 30-25-111 (1) & C.R.S. 30-25-111 (2) .....86
- The board SHALL (statutorily required) publish a report in August and February showing salary information for all county employees and officials. C.R.S. 30-25-111 (1.5).....86
- The board SHALL (statutorily required) create a county planning commission or serve as the county planning commission in counties of less than 15,000 in population. C.R.S. 30-28-103 & 30-28-133 (1).....88

- **The board SHALL (statutorily required) adopt and enforce subdivision regulations. C.R.S. 30-28-133 (1) .....89**
- **The board SHALL (statutorily required) adopt and maintain a noxious weed management plan. C.R.S. 35-5.5-105 .....94**
- **The board SHALL (statutorily required) certify the levies of all taxable property within and including the county, no later than December 22 of each year. C.R.S. 39-1-111 (1).....95**
- **The board SHALL (statutorily required) comprise the board of equalization of the county. C.R.S. 39-8-101 .....96**
- **The board SHALL (statutorily required) select the county primary system of roads. C.R.S. 43-2-109 .....97**
- **The board SHALL (statutorily required) cause a map to be prepared showing each road in the county’s primary and secondary road system. C.R.S. 43-2-110 (1) (a).....97**
- **The board SHALL (statutorily required) appoint a road supervisor(s) for all roads constituting the county road system. C.R.S. 43-2-111 (1).....99**
- **The board SHALL (statutorily required) approve or disapprove the presented recommendations for the road and bridge work, after receiving the monthly report of the road supervisor(s)’ estimated repairs and construction costs presentation. C.R.S. 43-2-111 (5) .....99**
- **The board SHALL (statutorily required) annually prepare a tentative road budget. C.R.S. 43-2-119 .....100**
- **The board SHALL (statutorily required) cause to be made and filed with the highway operations and maintenance division, a complete annual report of the expenditures of all moneys applied to the county road system. C.R.S. 43-2-120 (1) .....100**
- **The board SHALL (statutorily required) submit, to the highway commission annually priorities for the construction of state highways within the county’s jurisdiction. 43-2-137. Counties submit priorities – instructions. ....101**
- **The board SHALL (statutorily required) annually adopt a county road and bridge budget. C.R.S. 43-2-203 (1) .....101**
- **The board SHALL (statutorily required) serve as the county local liquor licensing authority. C.R.S. 44-3-103. (27) .....102**



## **Not If, But When You Get Sued**

*The Colorado Governmental Immunity Act - A Tool to Protect You*

**Enid Cordova**

**CTSI Property and Liability Claims Manager**

**County Technical Services, Inc.**  
Newly Elected Officials' Orientation  
December 10, 2020



## Colorado Governmental Immunity Act (CGIA)

- Prior to 1971 governmental agencies were protected by “Sovereign Immunity”. (The King can do no wrong)
  - In the absence of statute, governmental agencies cannot be liable for torts (negligence).
- Post 1971- Courts abolished “Sovereign Immunity”- Left to State General Assembly-
- Created Colorado Governmental Immunity Act.  
**C.R.S. 24-10-101**



## CGIA

1. Provides immunity for public entities and employees while acting in the scope of employment, as long as such acts are not willful and wanton.
2. Protects public entities against liability for exercising reasonable discretion in the conduct of their duties and providing of services.



## Who Is A Public Employee?

C.R.S.24-10-103(4)

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- Elected Officials
- Employees
- Authorized Volunteers of the Public Entity  
*Performs act for the benefit, at the request of and subject to control of the County*



## Definitions - C.R.S. 24-10-103

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- **Dangerous Condition**  
Physical condition of a facility – i.e. knew or should have known
- **Maintenance**  
Keeping facility in the same general state of repair – i.e. no duty to upgrade, modernize or modify
- **Operation**  
Act or omission by a public entity or employee in the exercise and performance of duties



## **Definitions - continued**

- **Motor vehicles v mobile machinery**
- **Combines two factors: design and use**
  - A motor vehicle is designed for public highways and transport of persons and property
  - Mobile machinery is commonly used in maintenance of roadways.



## **Exceptions to Immunity**

- **Exceptions (or waivers) exist**
  - **Operations**
  - **Conditions**



## Exceptions to Immunity-Operations

1. Operation of a Motor Vehicle...
  - must be owned or leased by the public entity,
  - *Ceja v. Lemire (Colo. Appeal 2006) is an exception*
  - *Henderson v. City & County of Denver (Colo. App. 2012)*
  - except emergency vehicles- true emergencies
2. Operation of a public hospital, correctional facility or jail (pre/post sentencing)
3. Operation/maintenance of public water, gas, sanitation, electrical, power or swimming facility



## Exceptions to Immunity-Conditions

1. Dangerous condition of a public building (physical conditions not activities).
2. Dangerous condition of a public highway, road, street or a sidewalk.
3. Dangerous condition:
  - of any public hospital, jail or public facility
  - located in a park or recreational facility maintained by a public entity
  - of public water, gas, sanitation, power facility, or a swimming facility



## **BOCC and CGIA**

- **BOCC has budgetary authority over all elected offices**
- **BOCC cannot be responsible for actions of elected officials**
- **Must act as a “Board” – not individually**
- **Actions must not violate any custom, practice or policy**



## **Sheriff and CGIA**

- **A separate public entity under CGIA**
- **Sheriff has control over deputies and is liable for their conduct and negligence**
- **Sheriff not liable for willful/wanton conduct in which immunity is not waived**
- **Sovereign immunity applies to those who follow department policies**



## **CGIA Damages and Limitations**

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- Any injury to one person - \$387,000
- Any injury to two or more persons - \$1,093,000 with no one person allowed to recover in excess of \$387,000
- Exceptions:
  - Public entity (not employees) not liable for punitive, exemplary damages or outrageous conduct.
  - Willful/wanton conduct by employees – no cap!!!



## **CGIA, Notice and Managing Risk**

---

- Admitting responsibility can jeopardize CGIA.
- Claimant must provide written notice within 182 days of discovery of injury.
- Written notice must be given to “governing body” or “attorney representing County”.
- Practice “reasonable discretion” when making decisions and keep a documented paper trail.
  - Photos of scene, get witness statements, if possible





## **Handling Executive Sessions, Media Issues and Employee Matters**

**Dana N. Mumey**  
**CTSI Senior Human Resources Specialist**

**County Technical Services, Inc.**  
Newly Elected Officials' Orientation  
December 10, 2020





## ***Handling Executive Sessions, Media Issues and Employee Matters***

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### **Included in your supplemental materials:**

- A sample Agenda illustrating some of the items discussed today.
- An explanation of how to schedule, plan, post notice, and run a Commissioner meeting.
- A set of “Executive Session Motion Forms” to guide you from the public portion of the meeting through the Executive session and back to the public session.
- The State Archivist of Records documents that are required to be produced of your meetings and how to retain the records. Review these and make sure your staff is instructed on these requirements.

### **Overview: Handling Confidential Matters in a Public Entity Context**

This short overview explains how to handle confidential matters in Board meetings, “executive” sessions, and in speaking generally with the public or media.

The intent of the Open Meetings law is to give the public the broadest possible access to Board deliberations, process and decision-making.

The Board is required to give a minimum of 24 hours’ public notice of most meetings and allow the public to attend Board meetings and discussions, unless specific confidential topics are to be discussed.

The Board is required to provide access to most public records under the Open Records Law, or CORA, unless specific confidential matters are revealed in the documents.

For both of these obligations, important confidentiality and privacy exceptions exist.

For ADA compliance, 24 hours’ notice may or may not be sufficient.

ADA requires reasonable accommodations be given within sufficient time to participate in the program or activity.

A person wishing ADA accommodation to participate in a public meeting may have a right to accommodations that cannot be provided within the 24 hours, so in that case, the meeting might not be compliant.

## Laws Concerning Confidentiality and Privacy Rules

Confidentiality and privacy exceptions are listed in various laws.

Colorado Open Meeting Act

Colorado Open Records Law (CORA)

Other federal or state laws such as computer records of financial or payroll data, social security numbers, bank account information, personnel records, health and medical records, criminal investigations, public health records, business or legal negotiations, certain proprietary property and financial information, some pending legal matters, and so forth.

### General Rule: Confidentiality Continues with the Subject Matter

Once the legal authority for confidentiality or privacy has been clearly identified, these confidential topics may be discussed in private.

For these topics, use “Executive” sessions rather than the public portion of a meeting or day to day work.

Before and after the Executive session ends, the importance of confidentiality of certain topics and records MUST be respected and remembered in all conversations with the media and the public.

Sometimes, a document that has both confidential and public data may have to be produced under CORA in a condition that hides the confidential information (redacting). Consult your County Attorney.

Any communication outside the Board, your appointed and designated executive team, or the County Attorney and Elected Officials with authority over that issues should be considered “public.”

Become familiar with discussion tactics to avoid releasing confidential information to the public or press while still communicating on a “need to know”.

### Risks of Liability

While the public has a right to know what the Board is doing, the Board has a duty to safeguard conversations, documents and deliberations to the greatest extent once an allowable privacy exception is identified. ANY leak of identified confidential information can lead to liability.

There are risks and potential costs for getting it wrong either way. Attorneys’ fees and costs can be awarded to plaintiffs if the Board fails to post notice and decide in an open meeting. There are also potential liability claims if the Board improperly reveals confidential or private information which, by law, should not be made public.

Seek help or follow the materials carefully until you are familiar with the exceptions. If you have any questions, the best practice is to raise the confidentiality question with your county attorney or with CTSI staff BEFORE setting your schedule and posting the agenda.

## Confidential Topics for Executive Sessions

Closed executive sessions may be used for the listed topics in the Open Meetings law

If you need to schedule a discussion on one or more of these topics, the agenda, notice, and conduct of the meeting may have to be structured to include an Executive Session if a discussion or decision concerns:

1. A transaction of any kind involving real or personal property such as lease, purchase, sale, acquisition, etc. (except not to hide financial conflicts of interest);
2. Seeking your county attorney's advice on specific legal questions;
3. Review or consideration of any topics private under a specific state or federal law (meeting must be notices with specific reference as to the state or federal law);
4. Reviewing special security arrangements details for the purpose of preventing or responding to terrorism, or the prevention or investigation of potential criminal activity;
5. Consideration of any Board strategy or positions, or instructing negotiators, for negotiations on behalf of the Board, whether for contemplated financial transactions or settling disputes (but settlements may be public record when approved and signed);
6. Consideration of any records required or determined by allowable discretion to be private or confidential under the Colorado Open Records Act (except all work product records or records subject to the governmental or deliberative process privilege shall occur in a public meeting unless an Executive Session is otherwise permitted under these Executive privilege categories.)
7. Review or discussion of any employee conduct or decisions on employee conduct, or other personnel matters (unless the employees involved have all requested the review or discussion be held in an open meeting OR unless it involves another confidential topic such as pending criminal investigations). If employees disagree, the public session must be conducted in a way so as to allow the privacy of any other employee involved. If this is not possible (such as separate interviews not mentioning other employees), then the sessions must be kept confidential. Adoption of policies, procedures, personnel rules, salaries and the like are public decisions. C.R.S. 24-6-401(4) covers these categories.

## Handling the Media on Privacy and Confidentiality Topics

Prepare in advance

The press is always in a hurry, so try to be prepared in advance and answer calls as they come in or return the call immediately or designate someone to do so.

Your job is not to be a friend to the reporter or the press, is it to represent the Board in a positive and legal way.

A reporter's job is to get something that will catch the eye of readers.

If you do not promptly provide them with interesting tidbits of information or quotes, they will dig or go to someone else to find something.

Give them a well presented storyline or explanation without violating the confidentiality restrictions.

Direct Focus to the Board’s Message—in your discussion of the topic in the Executive session, it is acceptable to have a discussion of what factors the Board will emphasize with press and public.

Some matters are standard: “The employee no longer works for the County and privacy laws prevent me from talking about it”. Or: “That information is private under Colorado law, the County can’t discuss it.”

Others may require more analysis: how much information about the gas line permitting process can you release without jeopardizing the county’s negotiating position or proprietary information? What are the positive aspects of the decision?

Appoint someone well qualified and experienced to be the single media contact for each situation if possible.

Appoint a backup to the media contact to make sure you have an available person.

Experience counts! Have them practice answering common media questions and giving acceptable answers before letting them loose with a reporter.

Use someone with subject matter expertise but restrained enough to withhold confidential information.

Come up with a list of standard short responses that can be used on routine topics.

Examples: “State law prevents us from talking about an employee’s relationship to the county, including a quit or transfer.” OR

“The budget cuts to the different Social Service programs were covered in detail; I can’t talk about private individual cases.”

Avoid answers that sound unfriendly or defensive. Tell them as much as you can tell them, but no more. Try saying something that is factually neutral but pleasant. Examples:

“What I can tell you is, the new route will shorten the drive to the freeway and will have a minimum environmental impact because we have addressed those concerns”.

“The details are confidential but I can tell you that the Board regretted his departure”.

“The Board regrets not coming to an agreement with the plaintiff”.

“The bids are sealed due to proprietary information, but details will be made known when the decision is made.”

Do NOT USE CONFIDENTIAL information or file records or knowledge from your executive sessions.

Stay away from topics that are protected by privacy laws, like health issues and reasons for discipline, demotion, and terminations or forced quits.

Any information belonging in the employee’s personnel file is private and may not be shared with any member of the public, including the media.

You don’t need to encourage the press to contact the opposing party in any contentious matter. If the person or employee who is the subject of Media Questions wants to talk about their personal information to the press, they will.

## Employees and Personnel Matters

General policy changes are not individual personnel decisions, but are public decisions subject to the Open Meetings rules.

The day to day supervision of employees should not include formal Board review of disciplinary decisions without giving notice to the employee whose “employment or personnel issues is expected to be discussed.”

The person or persons who are the topic for a personnel matter discussion and decision must be notified 24 hours in advance. Best practice would be to give the notice to the employee(s) in writing before posting the notice of the meeting. The Agenda notice would cite the provision for “confidential personnel discussions” and would not name the person or persons to be discussed due to confidentiality restrictions (as they have already been given notice).

This is true even if it involves law enforcement unless the discussion may not take place without jeopardizing an ongoing criminal investigation. If that is so, the discussion with the Board should be postponed until the criminal matter is ended. There is a specific state requirement for sheriffs to meet with an employee and give them a chance to have their say prior to a termination. This is a “name clearing hearing.” Even in such a discussion the employee is likely to have a right to notice of a closed session.

The person who is the subject of a personnel discussion has the right to be present at the meeting and object to the closing of the session. If they want the session closed, the Board can meet with individuals privately. No one other than the Board and the record keeper should attend an executive session if the purpose is getting legal advice.

If significant allegations toward another employee may come out in a closed session you should seek counsel from county attorney (who is supposed to be present for these sessions) about whether or not to table discussions about people who were NOT given notice. If tabled, they should be relisted on the next agenda’s continuation items, if at all possible.



## **Appendix 1**

### **Conducting a Commission Meeting**

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#### **A. Agenda**

Let us start out by saying it is wise to set a deadline in which all reports, communications, ordinances, resolutions or other information is to be submitted to the person preparing the agenda for the next Board of County Commissioners meetings. The adoption of such a policy is very important and an example of such policy is: “All materials necessary for an item that is to be considered at a future Board meeting must be submitted to the Administrative Assistant or person assigned to prepare the agenda, no later than noon on Wednesday proceeding the following week’s meeting or meetings”. This will give this person time to adequately prepared, get the agenda reviewed by the appropriate people and have it posted before the required 24 hours prior to the meeting. A well planned agenda is an important tool for a smooth meeting, although it does not guarantee it.

Specific times that agenda items are to be heard are not necessarily required and I would not recommend it, just the order in which they are to be considered, with the exception of a Public Hearing which needs to be scheduled on the agenda at the specific published notice time. I would also suggest a disclaimer note be put at the bottom of the agenda, such as; ***“This agenda is provided for informational purposes only. Action may be taken on any or all of the items. All times are approximate. If any given item is finished earlier than anticipated, the Commissioners may move on to the next item. The only exceptions are public hearings on items which have had published notices of a specific hearing time; those items will not begin until the specific time or after”***. The prepared agenda should be review by the individual board members or the person the Board assigns to review and approve the agenda before posting.

The order of an agenda should have the business portion of the agenda at the beginning right after the approval of the agenda and the “Call to the Public” if one exists; with the reading and approval of the minutes, approval of the bills, or the common and necessary actions that are required at most meetings. Items of business which the Board has determined to be routine and which do not require discussion can be included under a single section of the calendar known as the “consent agenda”. Such items may be adopted, approved or introduced, as the case may be, upon motion by a single roll call vote in accordance with the rules of procedure of the Board. If a Consent Agenda is used, the consent agenda section of the calendar should be preceded by an explanatory note saying; ***“All matters listed on the consent agenda are considered routine by the Board and will be enacted by one (1) motion in the form listed below. There will be no separate discussion of these items. If discussion is desired on any item or items and permitted by the Board, those items will be considered separately”***.

## B. Opening and conducting the meeting

The Chairman (appointed at the organizational meeting at the beginning of the year) shall take the chair at the time set for the meeting to begin and shall immediately call the meeting of the Board of County Commissioners to order. If the Chairman is absent and there is a quorum present, the Vice Chair shall preside until the Chairman arrives. Upon the arrival of the Chairman, the Vice Chair shall forthwith relinquish the chair upon the conclusion of the business immediately before the Board.

- If the Chairman chooses to ask to recite the Pledge of Allegiance, or give an opening statement, this is the time to do this.
- The first action the Board of County Commissioners should take is the consideration and adoption of the agenda.
- The next item to be addressed is the business portion of the agenda as organized on the adopted agenda (such as approval of minutes, approval of general expenditures, etc.).
- Reports from County Officers (treasurer's report, sheriff's report, etc.), Department Heads (road and bridge supervisor, extension agent, etc.), and Standing Committees should be the next items heard by the Board.
- The next items to be addressed are Unfinished Business items, these being items that have been before the Board but have not yet been acted upon and the Board wants to address.
- The next item or items to be addressed are new or other business.
- The final item is Adjournment. This requires a motion, a second and a vote contrary to what many may believe.

### Notes

1. I have found that when a Commission meeting is organized and handled in a professional, orderly manner, the easier it is to address the business of the day and obtain order during the meeting.
2. When it is necessary for the Board of County Commissioners to act in some other capacity, such as the Board of Social Services; Board of Health; Local Liquor Licensing Authority, or any other Board or Authority; The Board of County Commissioners must take action to first recess the Board of County Commissioners and convene as one of the other boards or authority which business is going to be conducted. After this business is completed, the Board must take action to reconvene into regular session as the Board of County Commissioners.
3. If the Board chooses to give the public the opportunity to address the Board without being on the agenda and the Board is not acting on any item the public brings up that is not already on the agenda, I would suggest the agenda have an item that is called "Call to the Public". I would suggest this be scheduled right after the Board adopts the agenda (time control is much easier to regulate in this spot of the agenda), with a written statement such as; *(The "Call to the Public" agenda item is a time when the citizenry may bring forth items of interest or concern. Please note that no formal action will be taken on these items during this time due to the open meetings law provision; however, they may be placed on future posted agenda if action is required. NOTE: The remainder of the meeting will commence immediately following the "Call to the Public")*.
4. You will notice that an executive session has not been addressed in the above. This process is addressed in Colorado Revised Statutes 24-6-402.

**“SAMPLE”**

**AGENDA**  
**BOARD OF COUNTY COMMISSIONERS**  
Commissioners Meeting Room  
Address of Meeting  
Monday, \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_:00 a.m.

**CHAIRMAN: CALL MEETING TO ORDER**

**PLEDGE OF ALEGIANCE**

**ROLL CALL:**

Commissioner \_\_\_\_\_  
Commissioner \_\_\_\_\_  
Commissioner \_\_\_\_\_

**ADOPTION OF THE AGENDA**

**A. CALL TO THE PUBLIC:**

The “Call to the Public” agenda item is a time when the citizenry may bring forth items of interest or concern. During this time, you have three (3) minutes to present view on county matters. Please note that no formal action will be taken on these items during this time due to the open meeting law provision; however, they may be placed on future posted agenda if action is required.

**NOTE:** The remainder of the meeting will commence immediately following the “Call to the Public”:

**B. CONSENT AGENDA:**

All matters listed on the consent agenda are considered routine by the Board and will be enacted by one (1) motion in the form listed below. There will be no separate discussion of these items. If discussion is desired on any item or items and permitted by the Board, those items will be considered separately.

a. *List items in order that have been placed on the consent agenda.*

**C. GENERAL BUSINESS AND ADMINISTRATIVE ITEMS:**

a. *Items such as contract/resolutions executions, bid awards, purchase of items, and etc. that are to be discussed and asked for public comment before the vote is taken.*

b. *Appoints to commissioners and committees (such as the planning commission).*

**D. COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS:**

*This is were the Board hears report such as the Treasurer’s report, Sheriff report, Road and Bridge supervisor’s report, and etc..*

**E. UNFINISHED BUSINESS:**

*This is where the Board considers issues that have previously come to the Board and are being brought back to the Board.*

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PREPARED BY: \_\_\_\_\_, Administrative Services

Page 1 of 2

POSTED ON: \_\_\_\_\_, \_\_\_\_\_, 20\_\_ at \_\_\_\_:00 \_\_.m.

**F. LIQUOR LICENSES:**

*The reason a liquor licenses is separated form the other items is that the Board must convene as the Local Liquor Licensing Authority.*

**THE BOARD OF COUNTY COMMISSIONERS WILL CONVENE AS THE \_\_\_\_\_  
COUNTY LOCAL LIQUOR LICENSING AUTHORITY:**

*After the Board considers the liquor license, it needs to reconvene back to the Board of County Commissioners.*

**THE BOARD OF COUNTY COMMISSIONERS WILL NOW RECONVENE INTO REGULAR  
SESSION:**

**G. HUMAN SERVICES:**

*The same applies for social services; the Board of County Commissioners must convene as the Board of Social Services.*

**H. OTHER BUSINESS:**

**I. ADJOURNMENT:**

**This agenda is provided for informational purposes only. Action may be taken on any or all of the items. All times are approximate. If any given item is finished earlier than anticipated, the Commissioners may move on to the next item. The only exceptions are public hearings on items which have had published notices of a specific hearing time; those items will not begin until the specific time or after.**



## **Appendix 2** **Executive Session Motion Form**

*(This session may only occur at a regular or special meeting of the Board)*

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### **MOVE TO GO INTO EXECUTIVE SESSION:**

(Language in BOLD is for inclusion in the motion as applicable; if the stated purpose of the executive session is legal advice; do not combine it with any other purpose):

- **For a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b);**
- **For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e);**
- **To discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402(4)(a);**
- **For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f)(I)&(II) 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 particular employees;**
- **For discussion of a matter required to be kept confidential by the following federal or state law, rule, or regulation: under C.R.S. Section 24-6-402(4)(c);**
- **For discussion of specialized details of security arrangements or investigations under C.R.S. Section 24-6-402(4)(d);**
- **For consideration of documents protected by the mandatory nondisclosure provisions of the Open Records Act under C.R.S. Section 24-6-402(4)(g);**
- Other (specify):

The following additional details are provided for identification purposes (Chairman may ask Attorney/staff to provide the details):

## **Announcement No. 1**

---

Announcement to be made by chairman at the beginning of the executive session (make sure the tape recorder is turned on; do not turn off unless so advised by the county attorney).

*It is \_\_\_\_\_ and the time is \_\_\_\_\_. For the record, I am the Chairman, as required by the Open Meetings Law; this executive session is being electronically recorded.*

*Also present at this executive session are the following persons:*

*This is an executive session for the following purpose:*

*(Repeat the language of the motion, including the statutory citation.)*

*I caution each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in the executive session.*

*If at any point in the executive session any participant believes the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make an objection.*

## **Announcement No. 2**

---

Announcement to be made by the chairman before concluding the executive session (while the tape recorder is still on).

- *I hereby attest that this recording reflects the actual contents of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law.*
- *I will hand the tape to the County Attorney to retain for a 90-day period.*

**OR**

*(If County Attorney was the subject of the session or was not present at the session.)*

- *I will retain the tape in my possession for a 90-day period.*

*The time is now \_\_\_\_\_, and we now conclude the executive session and return to the open meeting.*

(Turn off tape and return to open meeting.)

### **Announcement No. 3**

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Announcement to be made at the beginning of an executive session for legal advice, or for the discussion of legal advice during an executive session whose stated purpose is a subject other than advice.

*(Make sure Announcement No. 1 has been made first.)*

#### **By County Attorney:**

*As County Attorney, it is my opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication. I am therefore recommending that no further record be kept of this executive session.*

#### **By Chairman:**

*The County Attorney has recommended that no further record be kept of this executive session. The time is now \_\_\_\_\_ and I am turning off the tape recorder at this time.*

*(Turn off tape recorder at this time.)*

**(If the attorney-client communication has finished, but the executive session continues, turn the tape recorder back on.)**

#### **By Chairman:**

*I hereby attest that this recording reflects the actual contents of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law.*

*I will hand the tape to the County Attorney to retain for a 90-day period.*

*This time is now \_\_\_\_\_ and I have turned the tape recorder back on because the privileged attorney-client communication is finished.*

### **Announcement No. 4**

---

Statement to be made by the chairman upon returning to the open meeting.

*The time is now \_\_\_\_\_, and the executive session has been concluded. The participants in the executive session were:*

*For the record, 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 executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record.*

*Hearing none, the next agenda item is . . . .*



## **Appendix 3**

### **General Requirements of the Open Meetings Law**

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To understand the confidentiality requirements it helps to understand the general public meeting requirements and process.

1. These rules apply to ALL public board processes for any publically mandated or funded Boards and for the Boards of any entities that contract with the local government to perform mandated local government duties for the County. C.R.S. 24-6-402(1) & (2) generally.
2. Any meeting of a quorum or two or more Board members at which public business (of that Board) is discussed or at which any formal action (by that Board) may be taken are meetings that are open to the public. Any deliberations or decisions must be reached in a public meeting which is properly noticed, recorded and preserved for 90 days. C.R.S. 24-6-402(2)(b) and (c).

Work sessions or fact finding sessions (where NO discussion of a final decision takes place and NO straw votes take place) may be held on a day to day basis without posting notice. However, work product produced on the topic may be a public document at these public meetings. C.R.S. 24-6-402(4)(g). See C.R.S.24-72-202(6.5)(a)-(c) inclusive for a lengthy list of what is and what is not “work product”.

All preliminary or final decisions that you make as a Board MUST BE a matter of public record AND are not properly made unless they have been made in a meeting that is properly noticed, recorded, and preserved. This includes any informal decision making process convened with the intention of discussing or deliberating on a matter that is to be decided by the Board, telephonic conferences of the Board to find out how you “might vote”, and all other electronic or other form of communication among Board members that reach a preliminary or final decision on a matter. C.R.S. 24-6-402(1)(a) & (b); C.R.S. 24-6-402(d.5)(II)(A).

3. Best practice is to post the weekly Agenda for all meetings at which 2 or more Commissioners are reasonably expected to attend. It must include each agenda item known at the time of publication of the notice, and agenda items may not be withheld from the posting of the notice. This includes public and executive sessions.

### **Important Exceptions to the Requirement to Post Meetings**

The requirement for posting meetings does NOT include day to day oversight of county property or day to day oversight of employees by county commissioners. C.R.S. 24-6-402(e).

The requirement for posting meetings does NOT include any “chance meeting or social gathering at which discussion of public (County) business is not the central purpose” even if attended by a quorum or two or more members of the Board. C.R.S. 24-6-402(f).

An example is members of a County Board attending a meeting held in another jurisdiction regarding matters similar or related to those that will be coming up on the County’s agenda, or a meeting held for non-county purposes such as socializing, networking or discussing issues with other governmental agencies. If a federal or state agency holds a meeting and a majority of your Board attends, that is NOT a meeting of the Board intended to make decisions, but an

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information gathering event. The notice for such would be posted by the Federal or State agency board.

However, your board COULD post it, but unless you are going to discuss or make decisions as a Board, it's not required. In that case, the Board should not convene informal session to reach a straw poll.

### **Creating and Retaining Public Meeting Records**

Public portions of meetings must only be recorded by electronic recording, if they were done that way as of August 7, 2006 or have been since that date. Otherwise the record or recording can be by written minutes.

Minutes of all public meetings must be made. C.R.S. 24-6-402(2)(d)II. The Archivist Schedule states that minutes are to be kept permanently and electronic recordings of the actual proceedings for 6 months.

The County must make sure that any written minutes of a public meeting accurately reflect the written steps required for going into executive session if they don't record them. Recordings of Executive session preliminaries and the actual proceedings must be kept for 90 days.

The rules for retaining electronic recordings apply regardless of how soon the formal written minutes for any type of session are adopted.

### **Posting Executive Sessions**

Executive sessions topics referencing the subpart of the statute must also be posted on the Agenda (as specifically as possible without breaching the confidentiality needs). At the time an executive session is convened, the specific subpart of the statute must also be designated as the reason for the executive session.

### **Recording and Retaining Recordings for Executive Sessions**

The Executive Session must always be electronically recorded, except for agenda items of Attorney advice. C.R.S. 24-6-402(4)(b). Any form of electronic recording satisfies the requirements. The recording is to be kept 90 days after the meeting and written minutes of the executive session should be adopted prior to ending the session and kept permanently.

The rules for retaining electronic recordings apply regardless of how soon the formal written minutes for any type of session are adopted

### **Executive (Closed) Sessions Subject to Privilege**

- a) There are seven categories of topics that can be held in executive session by a county. Closed Executive sessions may ONLY be used for these categories of confidential matters list.
- b) Executive sessions are ALL closed (private) sessions which must be FORMALLY closed to the public on the record after stating the statutory reason for closing such sessions. The Closed session must then be formally ended and recorded per statute. Any form of electronic recording satisfies the requirements.
- c) Each agenda item and each topic expected to be discussed in executive session shall be announced, prior to the executive session, "in as much detail as possible" while still preserving the confidential nature of the discussion.

- d) A legal citation of the reason for the closed session must be read into the record. A motion must be made, seconded, and passed by a 2/3s quorum vote to accomplish any executive session at that time. Strict compliance with these procedures is expected by the courts.
- e) It is mandatory to have the County Attorney present (or available by teleconference method) at any Executive Session in which attorney advice is desired in order to properly create the required recorded record prior to avoid recording that portion. If in the opinion of the attorney who is representing the public body and is in attendance at the executive session, all or a part of the discussion constitutes a privileged attorney-client communication, no record shall be required to be kept of that part. The Attorney must express his legal opinion on the closing of the session at that time. The record for this type of Executive Session must reflect that no record was kept, the opinion of the attorney that it was privileged, and the concurrence of the Chair.
- f) The record must also include a signed statement from both of them to the same points.
- g) Discussion must be limited: no straw votes, no extraneous topics, only portions which are attorney-client privileged may be withheld.
- h) If portions are not recorded or are withheld ; all procedures for taped identification of topics, citations, and authorizations must be strictly followed.
- i) Approved minutes of executive session may be adopted prior to going out of session.
- j) Audio recording omitting attorney-client discussion must include audio statement by the attorney and written statement signed by attorney and the chair.
- k) Remember that the presence, in executive discussions, of people not strictly within an attorney-client privilege for the county can weaken the county's claim that the content of the discussion was legal advice.

### **Additional Information on Posting the Agenda**

1. The agenda must include reasonable notice to the public that a matter will be discussed and/or considered by a quorum of the Board "where possible". The announcement of the subject must be "in as much detail as possible without compromising the purpose of the session." This includes both public and executive sessions.
2. A specific (detailed) listing on the posted Agenda is not required in order for a matter to be considered at a public meeting. A notice is sufficient as long as the items actually considered at a meeting are reasonably related to the subject matter indicated by the Notice.
3. Notice must be given for any agenda item on which formal action (a vote) "may be taken." The Board can conduct day to day preliminary business discussions without posting a Notice-- so long as a quorum is not expected and a final decision is not made. Any discussions by a quorum on formal decision-making items must be posted in advance to the public. If they were not, the unposted discussions on the item can be cured by reposting and having a genuine public session on the merits or discussions prior to a public vote.
4. Open Session Discussions should be posted and held for: (a) General discussions of adopting or amending personnel or administrative policies and procedures, so long as confidential personnel situations or facts are not revealed; (b) Discussions by elected

official (s) of a proposed appointment of any person to fill a vacancy on a board or of an elected official; (c) CEO appointment discussions according to statute.

### **Moving from Public Meeting to Executive Sessions**

1. Open the meeting. Conduct all public business on the Agenda first, if possible.
2. When you get to the portions that need to be closed (or if a topic covered by the Agenda comes up that should be in an Executive session) the Board should announce that they are going into an Executive Session for the specified Agenda items.
3. For any Executive Session portion in which the County Attorney is going to give a legal opinion (attorney client privilege), the county attorney should be present to announce his opinion that this portion of the business is privileged. This opinion should list or itemize the various possible privileges out of the Open Meeting Statute that justifies the closed session and give his/her opinion that the session be closed.
4. The 2/3s or quorum vote should be taken and recorded.
5. The room should then be cleared of all extraneous people who do not hold Executive authority or who give legal advice to the Board.
6. Example One: The Board of County Commissioners, the employee, and the complainant, and the Assistant County Attorney.
7. Example Two: The person running the hearing or mediation; members of the Personnel Hearing Decision Board; the supervisor/complainant; the employee/respondent; their selected representatives, if any are allowed; and the recorder/county clerk if necessary. If there are witnesses to testify, have them leave and come in one at a time if at all possible.
8. If a final decision is required, then the county attorney or Chair closes the Executive Session. The Public session is then opened and any decision is announced, or a decision can be issued later in writing.

### **Prior Notice to Involved Parties**

1. Under the Colorado Open Meetings Act, an employee who is the subject of a Board meeting or Board discussion has the right to have notice and the option of requesting a public meeting. Each employee should be given at least 24 hours' written notice and an opportunity to exercise this right in writing, before the Agenda item is posted, so that due regard for the proper type of Notice and procedures may be given.
2. Care should be taken to consider that each employee discussed may have a state right to privacy regarding the matters discussed. Thus if there is a hearing into a matter involving three employees, each must give a waiver for the matters involving them to be public, or that portion should be conducted in an Executive session. However, if an employee does not request a public hearing s/he may not have the right to attend other discussions in an Executive session. This can be addressed by separating the portions as to each employee when possible.
3. If the matter is one about which the Board has discretion under CORA to make public, then employees may be allowed to attend public discussions on matters not involving them specifically. An example is personnel decisions where past practices are expected to be discussed, but are discussed unanimously without breaching personnel record confidentiality.



## **Appendix 4**

### ***Ten Things to Know About Public Employment Relationships***

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1. Since the employment relationship is a “contract” in Colorado, the terms and conditions of the contract can be modified either (a) by existing law or public policy; or (b) by a legally enforceable agreement between the parties (the employees and the County and/or the Elected Official).
2. A citizen, as an employee of a public entity, may have constitutional and statutory rights greater than private employees. The freedoms guaranteed by the Amendments to the US Constitution such as freedom of religion, public speech, the press, equal protection, the right to assemble and the right to petition the government for a redress of grievances. A citizen does not always waive rights by taking a job with the County.
3. “At will” or “At the pleasure of” appointment powers under state law do not absolve an elected official of the obligation to provide other Constitutional or statutory rights to any employee in a discipline or termination decision. The county is required to balance the citizen rights with the County’s need to follow a process when imposing discipline or making a decision. This is called the balancing test and is applied in most employee rights’ cases. In these cases, the elected official’s need to appoint someone they can work with does give them additional power, but not complete power.
4. Another exception to absolute “employment at will” or “at the pleasure of” powers can include any “firmly established public policy” in the State of Colorado or under federal law. Examples would be the right of an employee to be free from illegal discrimination, or the right of a volunteer to complain of criminal activity. The parties to a contract cannot completely take away these rights from a county employee even if they wanted to. For example, Colorado protects the right of an employee to engage in any “legal off-duty activity” so an employee could not be terminated for this reason. Contracts that are “illegal” will not be enforced by the courts.
5. All County or departmental policies, procedures or practices can, over time, establish “rights” for employees if applied to similar situations. This is true even if management practices are poorly considered or staff is misinformed. These changes can sometimes be unwritten and still have legal force and effect.
6. Even without any written or oral promises in your handbook or practices, a public employee still has the right to minimal rights of a “notice and opportunity to be heard” on a matter that will affect discipline and/or termination decisions. This is emphasized by specific Colorado laws.
7. Discipline can include anything that relates to compensation; benefits; job status; merit pay; opportunity for working or turning down overtime, training or promotions; demotions, and the like.
8. Any employment misconduct matter should normally be given a reasonable investigation. In most cases, a “reasonable” investigation is an opportunity for the employee to present his or her side of the evidence, witnesses, or explanation for extenuating circumstances explaining

the misconduct. It may occur simply in the presence of the supervisor, but should always be documented for the personnel file of that employee.

9. Before discipline or termination is imposed, the County should always make sure that a “name clearing” (or due process) hearing has been documented in some form. That means the employee has a right to hear the accusations or charges against him or her (in a timely way), the right to provide a factual response, and put a response into their personnel file. If you have given the employee fair notice of what is wrong with their performance, most complaints can be defended because a reasonable person can look at the written discipline record (in a lawsuit) and see what has happened. Colorado law requires this for termination of sheriff deputies.
10. If the County decides to provide a formal review of each supervisory discipline, or some categories, the process should be drawn up and reviewed by legal counsel and applied according to set rules. Only management or elected officials should have final say in these reviews. Giving these powers to employees can violate labor relations laws.



## **Appendix 5**

### **General Guidelines for Reducing Employment Claims**

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1. Observe all rules of privacy and confidentiality on personnel records, personnel deliberations, and personnel decisions.
2. Observe and record the minimum due process for a disciplining or correcting a public employee: (a) consistently apply performance standards to similarly grouped employees; (b) provide notice to the employee of any misconduct they can or should correct in the future; (c) provide them an opportunity to present their side of the story (unless to do so would place other persons in imminent danger of harm); (d) make a final decision based on business necessities.
3. Understand your obligations to (a) provide adequate training to your managers and supervisors, and (b) to oversee their personnel decisions and the evaluation processes they impose on county employees. Their decisions are attributable to you.
4. Appoint only well qualified or well-trained managers and supervisors who understand their obligation to train, evaluate, and oversee the performance of their employees and take and record improvement actions against managers or supervisors as necessary to enforce these duties.
5. Centralize or duplicate remote county personnel record systems to make it easier to provide centralized oversight and consistency. Make sure you assign a fully trained, well-informed person the responsibility of maintaining personnel records, protecting their privacy, and reviewing disciplinary recommendations of supervisors before costly damage is done.
6. Never make public statements of fact (or negative opinion) that may damage the reputation of an employee or former employee. Recognize at all times that employees have privacy rights even when you disagree or disrespect them. If a court makes a finding, let the court's opinion speak for itself, don't add to it.
7. Even if a State agency pressures the County to take an employment action, remember that in most cases, the County is liable for the decision and you may not be able to rely on the recommendation of the State as a protection against a lawsuit.

#### **Common Legal Complaints Against Public Employers**

The Conduct was willful and wanton and led to:

1. Abuse of Process—threatening to, or actually using the threat of civil or criminal claims against a person to prevent them from doing something they have a right to do.
2. Defamation—Any intentional false communication, either written or spoken, that harms a person's reputation; decreases the respect, regard, or confidence in which a person is held; or induces disparaging, hostile, or disagreeable opinions or feelings against a person. Defamation includes written statements, known as libel, and spoken statements, called slander.

3. Intentional Infliction of Emotional Distress—Extreme and outrageous or grossly negligent conduct which is intended to, and does, cause a person severe emotional distress. The conduct must exceed all possible boundaries of decency. In some cases it might also be criminal conduct.
4. Intentional Discrimination— denying rights, benefits, justice, equitable treatment, or access to facilities available to others, to an individual or group of people because of their race, age, national origin, sex, religion, gender, disability or other defining characteristic.
5. Disparate Impact Discrimination—Application of a rule, policy, or other decision making process in a manner that predictably and consistently results in members of a group being disadvantaged (loss of equal protection) due to their race, color, gender, age or other defining characteristic protected by law. A form of discrimination under law.
6. Violation of Whistle-Blower protections—An employment action or retaliation against an employee who reports illegal misconduct, illegal activity, or financial fraud on the part of an elected official or other employee for a public employer or who reports criminal conduct using appropriate means.



**Workers' Compensation Coverage**  
*The County Workers' Compensation Pool*

**Kurt Muehler**  
**CTSI Workers' Compensation Claims Manager**

**County Technical Services, Inc.**  
Newly Elected Officials' Orientation  
December 10, 2020



## County Workers Compensation Pool

### Summary of Coverage and Named Insureds

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#### *CWCP Coverage Summary*

Coverage	Limits	Deductible
Workers Compensation	Statutory	\$0

#### *CWCP-Persons Insured*

It is the policy of the Board of Directors of CWCP that coverage under CWCP shall be extended to all county employees as defined in C.R.S. 8-40-202, as may be applicable to all counties.

Specifically excluded from coverage under CWCP are volunteers that do not fall under the definitions in C.R.S. 8-40-202, contract employees and participants in Useful Public Service or any other alternative sentencing programs.

8-40-202. Employee. (1) "Employee" means:

(a) (I) (A) Every person in the service of the state, or of any county, city, town, or irrigation, drainage or school district or any other taxing district therein, or of any public institution or administrative board thereof under any appointment or contract of hire, express or implied; and every elective official of the state, or of any county, city, town, or irrigation, drainage, or school district or any other taxing district therein, or of any public institution or administrative board thereof; and every member of the military forces of the state of Colorado while engaged in active service on behalf of the state under orders from competent authority.

Policemen and firemen who are regularly employed shall be deemed employees within the meaning of this paragraph (a), as shall also sheriffs and deputy sheriffs, regularly employed, and all persons called to serve upon any posse in pursuance of the provisions of section 30-10-516, C.R.S., during the period of their service upon such posse, and all members of volunteer fire departments, including any person ordered by the chief or a designee of the chief's at the scene of an emergency or during the period of an emergency to become a member of that department for the duration of an emergency, and to perform the duties of a fireman, and only if the person who is so ordered reports any claim within ten days of the cessation of the emergency, volunteer rescue teams or groups, volunteer disaster teams, volunteer ambulance teams or groups, and volunteer search teams in any county, city, town, municipality, or legally organized fire protection district or ambulance district in the state of Colorado, and all members of the civil air patrol, Colorado wing, while said persons are actually performing duties as volunteer firemen or as members of such volunteer rescue teams or groups, volunteer disaster teams, volunteer ambulance teams or groups, or volunteer search teams or as members of the civil air patrol, Colorado wing, and while engaged in organized drills, practice, or training necessary or proper for the performance of such duties.

Members of volunteer police departments, volunteer police reserves, and volunteer police teams or groups in any county, city, town or municipality, while actually performing duties as volunteer police officers, may be deemed employees within the meaning of this paragraph (a) at the option of the governing body of such county or municipality.

(This is an overview; the Colorado Revised Statutes contain further language regarding who is insured.)

## **Workers Compensation Coverage for Appointed Board & Commission Members & Statutory Volunteers**

In addition to employees as defined by 8-40-202, only volunteers who are deemed employees” in C.R.S. 8-40-202 (a) I (A) are eligible for coverage through the CWCP. Those are volunteer rescue, disaster, ambulance, search and rescue, police, firefighters, posse, reserve and appointed board and commission members.

Coverage is provided in accordance with the Workers Compensation Act, which, in general, states that coverage is provided when:

Persons are actually performing duties as statutory volunteers as listed in C.R.S. 8-40-202(a)(I)(A).

Duties are within the scope of county operations and on behalf of the county.

Volunteers are under the supervision and control of the sheriff, fire chief or board of county commissioners, as appropriate.

Volunteers are engaged in organized drills, practice or training necessary or proper for the performance of such duties under the control, direction and supervision of the member county sheriff.

Volunteer organization and personnel are subject to the same risk management policies as the county.

Persons ordered by the fire chief or a designee of the chief's at the scene of an emergency or during the period of an emergency to become a member of that department for the duration of an emergency to perform the duties of a fireman. Persons in this category (f.) must file any claim within 10 days of the cessation of the emergency.

Persons are not "volunteers" if they are paid for their services. Payment for services would infer they are "employees" of the organization making the payment.

## **County Responsibilities with Regard to Statutory Volunteers**

### ***CWCP Members' Policy Statement***

A count of all statutory volunteers must be included in annual county payroll audit submitted to CTSI.

Volunteers must be under the supervision of the appropriate county department head whenever performing duties for the county.

First Reports of Injury must completely indicate what the volunteer was doing at the time of injury. It is very important that as much information as possible be provided to the adjuster.

To limit claim costs, a modified duty program should be developed and made available to volunteers.

# Summary of Workers Compensation Benefits for On-The-Job Injuries

Coverages and benefits are provided in accordance with the Colorado Workers Compensation Act. This broad summary is for information purposes only.

## Medical - Authorized, Necessary

All professional services which are medically necessary, including physician fees, hospital/surgical charges and supplies, nursing fees, dental services.

Other medically necessary services and supplies such as ambulance charges, prescriptions, lab fees, x-rays, blood products, medical supplies, prosthetic devices.

## Wages

Temporary total disability (TTD) benefits while employee is unable to return to work. TTD benefits are payable only when the employee has been off work due to the injury for at least three regular *working* days. The three day waiting period does not begin until the day after the employee is injured on the job. The employee does not receive compensation from the CWCP for the first three regular working days unless he remains off work for a total of at least 14 *calendar* days.

Temporary partial disability benefits while employee is restricted to working for less than full time duty.

Permanent total disability benefits for life if employee is deemed to be permanently, totally disabled in accordance with statute.

## Permanent Partial Disability

Permanent physical impairment as measured by an accredited physician when employee has reached maximum medical improvement.

Calculation of benefit is based on scheduled amounts as listed in the Workers' Compensation Act.

## Disfigurement

If head, face or exposed body parts are disfigured, an award can be granted by a Workers' Compensation Administrative Law Judge up to a maximum set amount.

## Death

In the event of an employee's death, a mandated set amount will be paid for the burial expenses.

Permanent total disability benefits would be paid to spouse for life or until remarriage; if no children, then lump sum; if dependent children - until age 18 (or 21 if full-time student)



**Let's Be Careful Out There – Loss Control Strategies**  
*Minimizing Your Risks through County Loss Control Programs*

**Jon Wagner**  
**CTSI Loss Control Team Lead**

**County Technical Services, Inc.**  
Newly Elected Officials' Orientation  
December 10, 2020



# CTSI Loss Control Programs

County Workers Compensation Pool  
Colorado Counties Casualty & Property Pool



1

## CTSI Loss Control Department



**Jon Wagner**  
Loss Control Team Lead



**Marilyn Wagner**  
Senior Loss Control Specialist

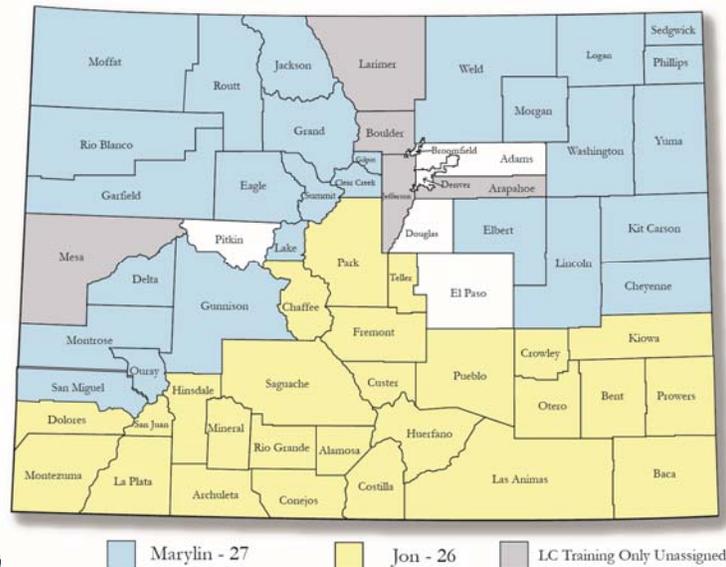


**Dana Mumey**  
Senior Human Resource Specialist



2

## 2020 CTSI Loss Control Map



3

## CTSI Loss Control Services

- ▶ Assist in Creation/Maintenance of Safety Committees
- ▶ Conduct Workstation and Building Audits
- ▶ Conduct Onsite Safety and Risk Management Training
- ▶ Provide Annual Loss Analysis to Commissioners
- ▶ Develop Specialized Training Programs
- ▶ Maintain Safety Video Training Library
- ▶ Provide On-Line Safety Training Modules
- ▶ Consultation & Training for MSHA and DOT Federal Requirements

4

## **Loss Control Human Resources Services**

- ▶ **Human Resources Consultation**
- ▶ **Personnel Policy Reviews**
- ▶ **Supervisor Employment Practices Training**
- ▶ **Detention Officer Training/Administrative Policy Review**
- ▶ **Conduct Salary Surveys**
- ▶ **Provide On-Line HR Supervisor Training Modules**
- ▶ **Maintain On-Line Supervisor Training Videos**



5

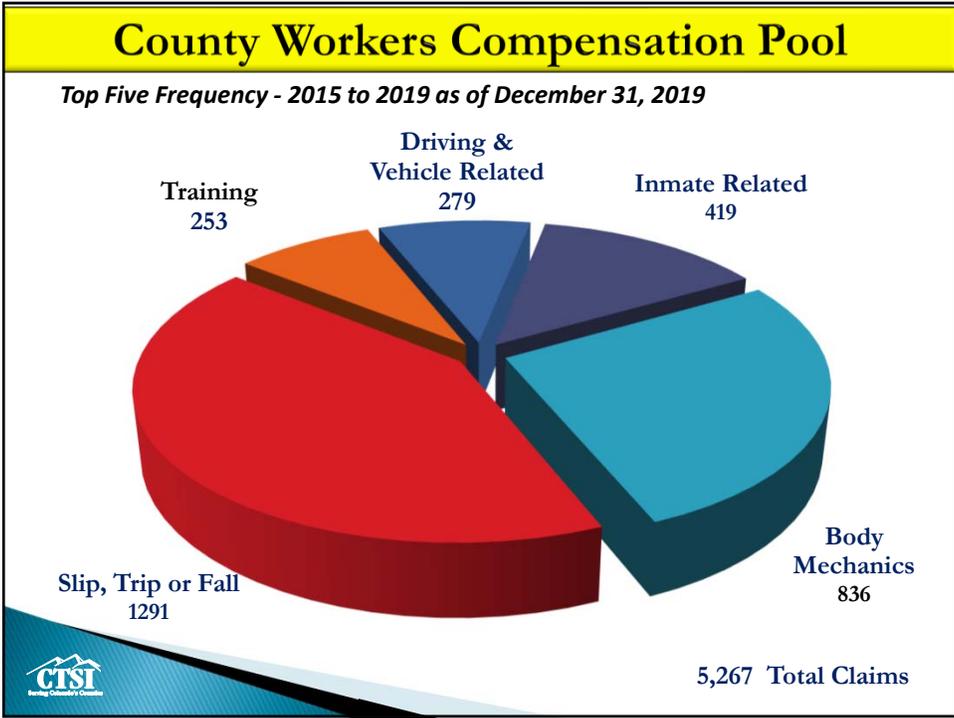
## **County Workers' Compensation Pool (CWCP)**

### **Maintain Loss Control Program**

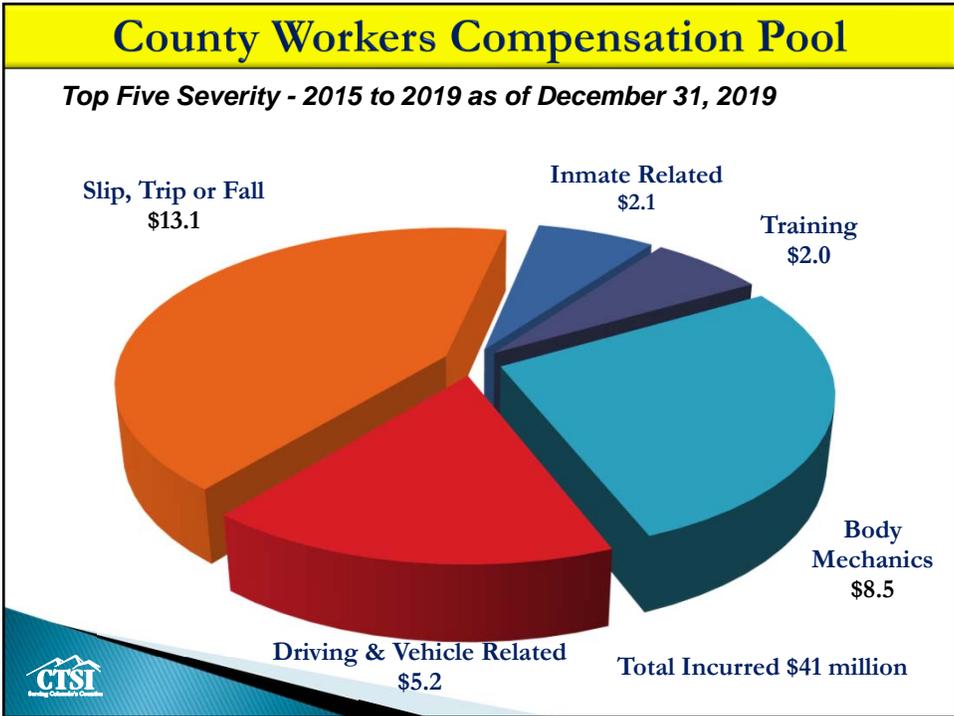
- ▶ **Conduct Modified Duty (Return to Work) when feasible**
- ▶ **Investigate Incidents and Accidents**
- ▶ **Conduct Ergonomic Work Area and Workstation Assessments**
- ▶ **Manage ADA, FMLA and Other Leave Issues**



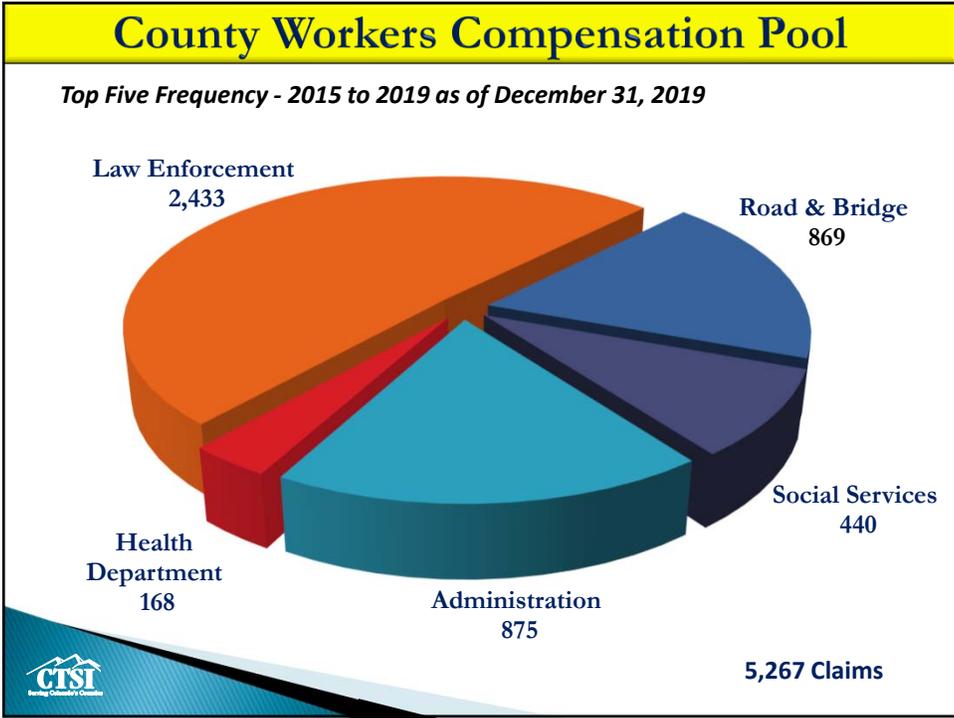
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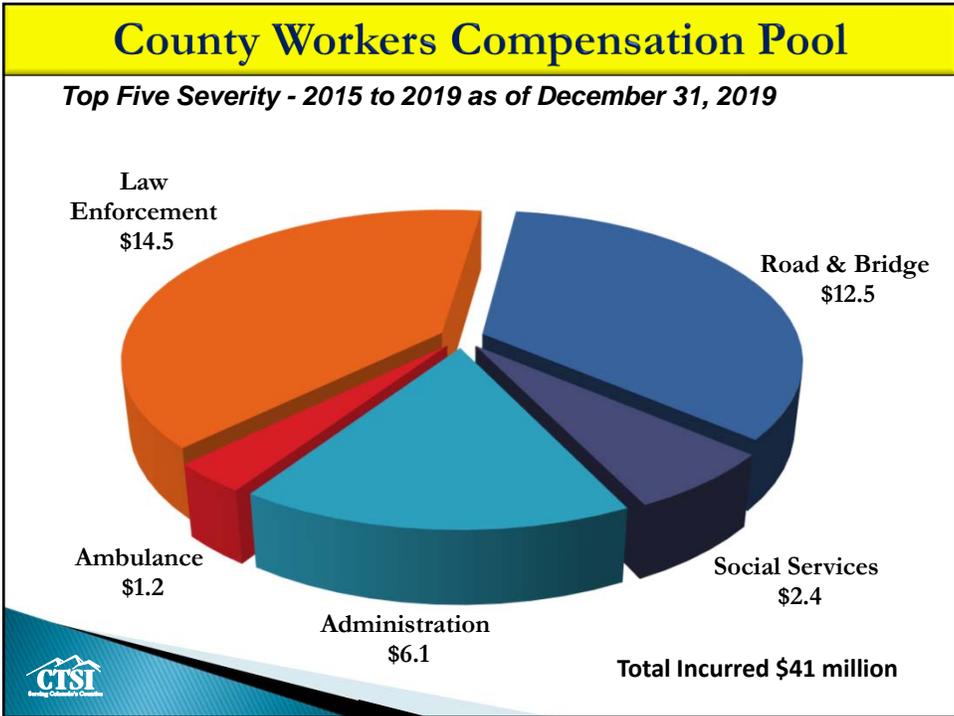
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9



10

## Colorado Counties Casualty & Property Pool

### Loss Control Programs

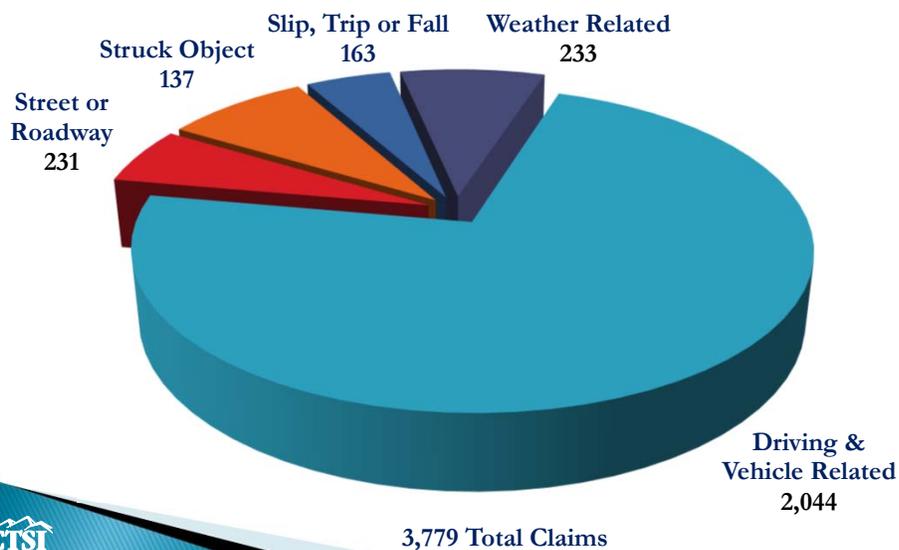
- ▶ Human Resources Support and Training
- ▶ Fleet Safety Program
- ▶ Seat Belt Usage Policy
- ▶ Defensive Driving Class every 3-5 years
- ▶ Inspection Of Buildings and Operations



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## Colorado Counties Casualty & Property Pool

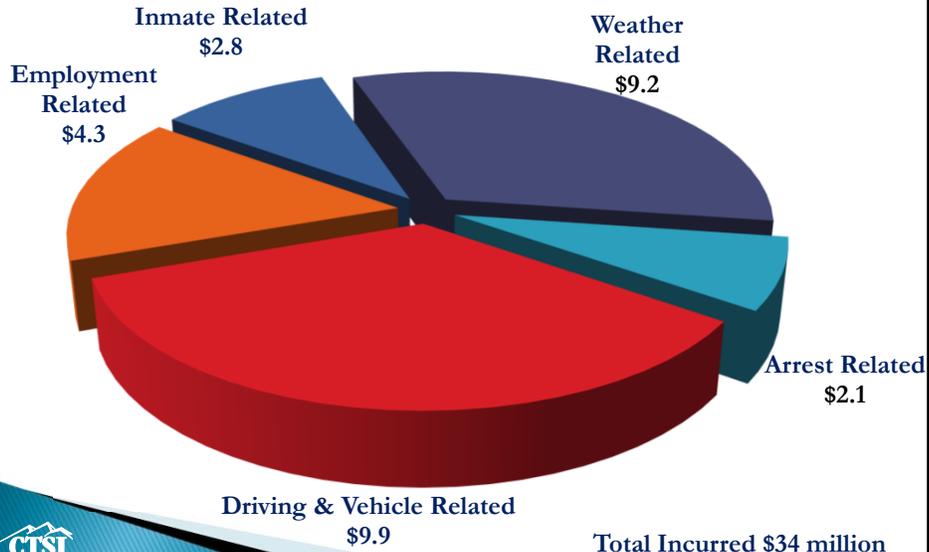
*Top Five Frequency - 2015 to 2019 as of December 31, 2019*



12

## Colorado Counties Casualty & Property Pool

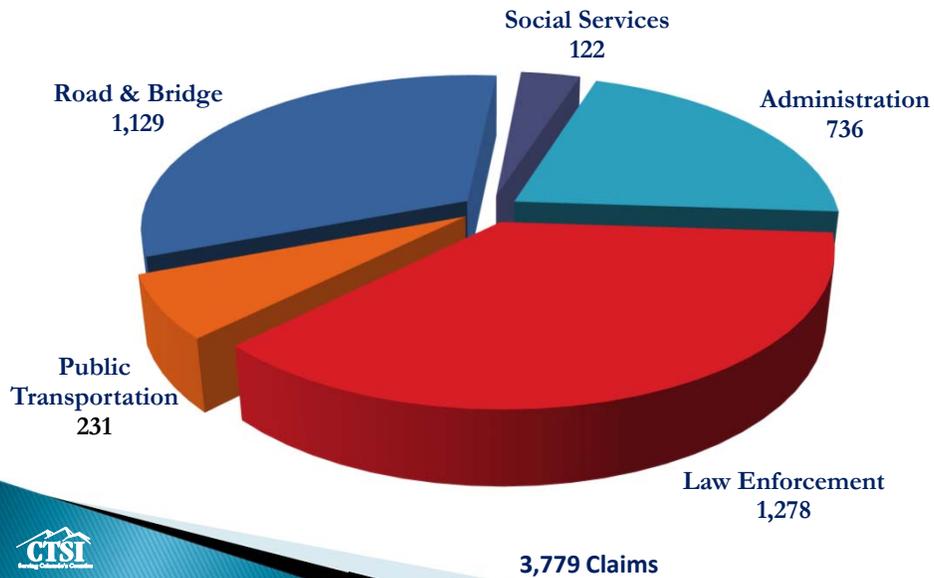
Top Five Severity - 2015 to 2019 as of December 31, 2019



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## Colorado Counties Casualty & Property Pool

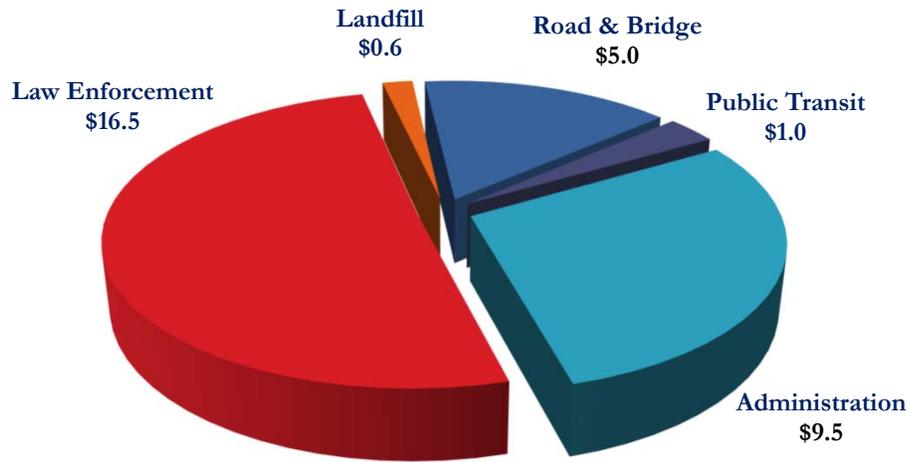
Top Five Frequency - 2015 to 2019 as of December 31, 2019



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# Colorado Counties Casualty & Property Pool

Top Five Severity - 2015 to 2019 as of December 31, 2019



Total Incurred \$34 million



15

## Access to CTSI Films Library List



Serving Colorado's Counties

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We welcome you to our all-new online training library.

Loss Control Film Library List

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### News & Updates

Technical Update 54 - FSAs, HRAs, and HSAs

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## Featured Training Videos & Technical Updates

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### Featured Videos



Defensive Driving Refresher Course



MSHA 2020 Module 6 - Basic First Aid and Emergency Action



Seated Worker Ergonomics Basics



Training for Detention Officers - Part 1

Technical Update 54 - FSAs, HRAs, and HSAs

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Technical Update 51 - IRS Extends Good Faith Reporting Relief for ACA Forms for the Final Time

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## On-Line Training Modules



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HIPAA Privacy & Security	Webinars
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MSHA 2020 Module 2 - Memory Quiz	Webinars
MSHA 2020 Module 3 - Front End Loader	Webinars
MSHA 2020 Module 4 - Health Exposures in County & Bridge Operations	Webinars
MSHA 2020 Module 5 - Tractor Rollovers and Weed Mowing	Webinars
MSHA 2020 Module 6 - Basic First Aid and Emergency Action	Featured, Webinars



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# Loss Control Documents

 [Loss Control Manual](#)  
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## Legal Disclaimer

These sample forms do not constitute legal advice and are not a substitute for legal advice. They are merely provided for information and convenience, and to facilitate decision-making by elected officials. As always, you should consult your county attorney before you take any action that may have legal consequences, including using any form from the CTSI website.

## CTSI Member Documents

- BOCC Statutory Requirements
- CWCP and CAPP Operations Manual

## Loss Control Documents

Search:

Title
Loss Control Film Library List
Flaggers Training Manual 2018
Loss Control Class List

## Sample Forms & Policies

Filter:

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Title
2008 Sample Detention Policy Manual
A9RC504



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# Any Questions?

# Thank You





**Landmines for County Commissioners**  
*Budgeting, Social Services, Land Use and Zoning*

**Dennis Hunt**  
**CTSI Manager Administrative & Grant Services**

**County Technical Services, Inc.**  
Newly Elected Officials' Orientation  
December 10, 2020





**HUTF DISTRIBUTION**  
**First Tier, 69.7 Million Dollars**

<b>County</b>	<b>Annual Amount</b>
Adams	\$2,281,053
Alamosa	\$720,317
Arapahoe	\$2,341,425
Archuleta	\$751,184
Baca	\$1,082,506
Bent	\$41,768
Boulder	\$1,492,763
Chaffee	\$890,798
Cheyenne	\$583,594
Clear Creek	\$392,966
Conejos	\$789,187
Costilla	\$1,395,398
Crowley	\$296,542
Custer	\$527,848
Delta	\$1,093,657
Dolores	\$792,399
Douglas	\$1,278,624
Eagle	\$906,139
El Paso	\$2,603,687
Elbert	\$940,264
Fremont	\$1,041,700
Garfield	\$1,317,968
Gilpin	\$289,925
Grand	\$1,211,342
Gunnison	\$1,271,008
Hinsdale	\$395,150
Huerfano	\$784,334
Jackson	\$643,520
Jefferson	\$3,570,734
Kiowa	\$619,558
Kit Carson	\$1,145,358

<b>County</b>	<b>Annual Amount</b>
La Plata	\$927,643
Lake	\$275,569
Larimer	\$2,039,724
Las Animas	\$1,448,356
Lincoln	\$806,025
Logan	\$1,381,227
Mesa	\$2,842,659
Mineral	\$292,672
Moffat	\$2,137,836
Montezuma	\$1,062,328
Montrose	\$2,004,910
Morgan	\$830,834
Otero	\$529,784
Ouray	\$335,179
Park	\$2,251,760
Phillips	\$536,241
Pitkin	\$477,681
Prowers	\$840,053
Pueblo	\$1,322,472
Rio Blanco	\$1,365,365
Rio Grande	\$810,200
Routt	\$1,322,139
Saguache	\$1,208,338
San Juan	\$138,755
San Miguel	\$954,782
Sedwick	\$386,403
Summit	\$508,590
Teller	\$996,889
Washington	\$1,342,014
Weld	\$3,072,481
Yuma	\$1,236,418



**HUTF DISTRIBUTION**  
***Second Tier, 17.0 Million Dollars***

<b>County</b>	<b>Annual Amount</b>
Adams	\$1,627,206
Alamosa	\$197,166
Arapahoe	\$2,151,520
Boulder	\$1,250,707
Douglas	\$597,516
El Paso	\$2,219,284
Jefferson	\$2,544,322
La Plata	\$352,461
Larimer	\$1,359,626

<b>County</b>	<b>Annual Amount</b>
Lincoln	\$320,722
Logan	\$345,678
Mesa	\$735,845
Morgan	\$508,555
Otero	\$286,331
Pueblo	\$783,632
Rio Grande	\$227,528
Weld	\$1,491,801

**Third Tier, Amount over \$86.7 million for all Counties**

**Formula for All Counties**

- 60% Lane Miles**
- 10% Bridge Decking**
- 30% Traffic Factor**

## COLORADO DEPARTMENT OF HUMAN SERVICES

### COMMONLY-USED ACRONYMS AND TERMS

As do most organizations and fields of study, CDHS often relies on acronyms that require explanation for the material to be useful. This glossary of acronyms is organized in alphabetical order.

#### **Alphabetical Listing of Acronyms and Terms Commonly Used by the Colorado Department of Human Services**

<u>AAA</u>	Area Agencies on Aging. Community-based agencies that provide a broad range of supportive and other services to adults over age 60 in their local communities.
<u>AB-CS</u>	Aid to the Blind - Colorado Supplement. The AB-CS program provides financial benefits to individuals who are legally blind and, therefore, unable to secure or retain employment, and who also receive Supplementary Security Income (SSI) payments.
<u>ABT</u>	Aid to the Blind Treatment. ABT is a State/county program which provides eye treatment services to persons who are not eligible for vocational rehabilitation services. ABT is provided in order to restore vision or prevent further vision loss.
<u>ACA</u>	American Correctional Association. ACA is a national accreditation agency for juvenile correctional facilities.
<u>ACSES</u>	Automated Child Support Enforcement System (pronounced ay-sis). ACSES provides automated support for the delivery of child support collections to families. It supports child support workers in the 64 county child support units with establishment, enforcement, location, monitoring and other duties necessary for them to perform their jobs.
<u>ADA</u>	Average Daily Attendance. In Regional Centers for persons with developmental disabilities and the Mental Health Institutes, ADA means the average number of people served daily over a one-year period of time. This is also an acronym for the Americans with Disabilities Act.
<u>ADAD</u>	Alcohol and Drug Abuse Division. This division of the Office of Behavioral Health and Housing Services develops and supports comprehensive services to reduce substance abuse.
<u>ADDS</u>	Alcohol and Drug Driving Safety Program. ADDS provides programs in judicial districts for probation clients, and is financed by fees collected from persons convicted of Driving Under the Influence (DUI) of alcohol or other substances.
<u>ADES</u>	Alcohol and Drug Evaluation Specialists. As part of the ADDS program (see above), ADES assess persons convicted of DUI offenses to determine the degree of their alcohol or drug problems and recommend appropriate education and/or treatment to be included as part of the sentence.
<u>ADP</u>	Average Daily Population. ADP refers to a population measurement used by the Division of Youth Corrections. ADP is calculated by summing the number of on-grounds minutes for all youth in a facility during a given time period and dividing this sum by the number of minutes in the time period.
<u>ADRS</u>	Adult, Disability and Rehabilitation Services.
<u>AFC</u>	Adult Foster Care. AFC provides residential care with supervision for client medications. While these services are not as extensive as those rendered in a nursing home, they represent an important component of a “continuum” of long term care. The AFC program is not a Medicaid program or service; however, many Adult Foster Care eligibles are also Medicaid-eligible. The Department of Health Care Policy and Financing (HCP&F) administers this program.

<u>AFCARS</u>	Adoption and Foster Care Analysis Reporting System. Federal rules issued in 1993 mandate national data collection on children by the State agency responsible for child welfare and youth services clients.
<u>AFDC</u>	Aid to Families with Dependent Children. The AFDC program was a joint federal/state program designed to provide financial benefits to dependent children and their caretaker relatives in an amount determined sufficient to meet basic needs for a temporary time period. The AFDC program was replaced in 1996 by the enactment of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PL 104 -193).
<u>Aging Out</u>	Term used in reference to people with developmental disabilities who reach the age of 21 and are no longer eligible for services from the public schools or the child welfare system.
<u>ALOS</u>	Average Length of Stay – A measurement used within the Division of Youth Corrections and the Mental Health Institutes. ALOS refers to the average amount of time spent in a program per youth over a specified timeframe. ALOS may be calculated based on hours, days, or months, dependent on the program requirements.
<u>Annualizations</u>	The incremental increase in an appropriation which was originally made for a partial year to fund a new program, service, rate or salary increase, but which requires full year funding in the second year.
<u>AND-CS</u>	Aid to the Needy Disabled - Colorado Supplement. The AND-CS program provides financial benefits to individuals who also receive SSI payments and whose medically determined disability precludes securing or retaining employment for at least twelve months.
<u>AND-SO</u>	Aid to the Needy Disabled - State Only. The AND-SO program provides financial benefits to individuals whose medically determined disability precludes them from securing or retaining employment for a period of at least six months.
<u>AP</u>	Assistance Payments. AP programs provide financial assistance to eligible families and individuals. The programs include: Old Age Pension (OAP), Aid to the Needy Disabled (AND), Aid to the Blind (AB), and Aid to Families with Dependent Children (AFDC), replaced by TANF (see below) July 1, 1997.
<u>APD</u>	Advanced Planning Document. Required by federal entities when funds are requested for systems development.
<u>APHSA</u>	American Public Human Services Association. National association of professionals in public human services programs and services. Formerly known as APWA.
<u>ARD</u>	Administrative Review Division
<u>ARS</u>	Adult Residential Services. ARS are apartment-style community living arrangements for persons with developmental disabilities. They may be State-funded or Medicaid-funded (Intensive ARS).
<u>Assistive Technology/Adaptive Equipment</u>	Items or pieces of equipment that are used to increase, maintain, and/or improve the functional capabilities of individuals with disabilities.
<u>AVATAR</u>	AVATAR provides essential client and provider data utilized for billing and reimbursement; resource utilization analysis; and accreditation data provision.
<u>BEP</u>	Business Enterprise Program. BEP conducts comprehensive training and provides supervision and consultation to help individuals who are legally blind operate businesses such as cafeterias, snack bars, retail stores and vending-machine facilities.

<u>BOS</u>	Balance of State. This is a term used to refer to small county departments of social services. For administrative, funding and programmatic purposes, CDHS groups county departments into large, medium and small sizes based on the caseload sizes and number of FTEs in the department. Currently, 33 county departments are in the small county, or BOS group.
<u>BSC</u>	Balanced Scorecard. Management philosophy that directs the Colorado Department of Human Services Strategic Planning and Performance Management. efforts.
<u>CAC</u>	Certified Addiction Counselors. CACs are individuals certified by ADAD to provide alcohol and drug abuse treatment services.
<u>CATC</u>	Child and Adolescent Treatment Center. Serves children and adolescents ages 17 and under at the Mental Health Institutes.
<u>CACTIS</u>	Colorado Automated Client Tracking Information System. CACTIS provides information for case management and client tracking for <del>JOBS</del> work activities for Colorado Works Program participants and federal reporting.
<u>CAFSS</u>	Colorado Automated Food Stamp System. The CAFSS provides automated support for the client eligibility, issuance, claims collection, disqualification, and accountability processes of the Food Stamp Program.
<u>CARF</u>	Commission on Accreditation of Rehabilitation Facilities. CARF is a national accreditation organization for vocational services.
<u>CARS</u>	Coin Accounts Receivables. Component of COIN (Client Oriented Information Network) containing information on Aid to Families with Dependent Children and Aging and Adult Services client overpayments.
<u>CBMS</u>	Colorado Benefits Management System. This information system replaces several existing CDHS data systems which support the distribution of assistance payments, medical and food stamp benefits.
<u>CCB</u>	Community Centered Boards. Organizations that are established in statute to determine eligibility of persons with developmental disabilities within a specified geographic area, provide case management services, and provide or purchase services for eligible individuals. There are 20 CCBs throughout Colorado.
<u>CCCAP</u>	Colorado Child Care Assistance Program. CCCAP is the name given to the collection of Child Care programs located within the Division of Child Care Services in the Department of Human Services.
<u>CCDBG</u>	Child Care and Development Block Grant. CCDBG is a section of Federal Public Law 101-508 enacted in 1990 to increase the availability, affordability and quality of child care.
<u>CCDF</u>	Child Care Development Fund. This fund was created by Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PL 104-193) to provide funding for child care. It combines the Transitional Child Care, JOBS and At-risk child care programs formerly funded under Title VI-A with the Child Care and Development Block Grant into one title. In addition, new matching funds were made available to states.
<u>CCMS</u>	Community Contract and Management System. CCMS is the statewide automated basic client data and billing system for developmental disabilities programs funded through CDHS' Developmental Disabilities Services unit. The system collects information on client needs and services provided.

<u>CCS</u>	Child Care Services. Refers to the Division of Child Care, part of CDHS' Office of Children, Youth and Families. This division inspects, licenses and monitors child care facilities, purchases child (day) care services for eligible low income families, and serves as the lead agency for federal child care grants.
<u>CDDPC</u>	Colorado Developmental Disabilities Planning Council. This agency is established in statute as an advisory body to the executive and legislative branches to provide coordination and planning in the field of developmental disabilities. Organizationally, it is a part of the CDHS' Office of External Affairs. CDDPC is financed primarily with federal funds and a small amount of General Fund. These funds are appropriated in the Executive Director's Office.
<u>CDHCP&amp;F</u>	Colorado Department of Health Care Policy and Financing. Formed 7-1-94.
<u>CDHS</u>	Colorado Department of Human Services. Formed 7-1-94.
<u>CDPHE</u>	Colorado Department of Public Health and Environment. Formed 7-1-94.
<u>CEAF</u>	Colorado Energy Assistance Foundation. CEAF is a non-profit organization, which was established by the Colorado Energy Assistance Commission in 1990 to help obtain funds for the LEAP program (see below).
<u>CEDS</u>	County Employee Data Store. Personnel Payroll reporting system, as a component of CFMS, through which counties report and track personnel payroll information.
<u>CFMS</u>	County Financial Management System. Accounting system, developed for CDHS as a customized version of Oracle Financials, to be the reporting system through which counties report expenditure and refund information to CDHS, and through which CDHS calculates appropriate Federal and State reimbursement of those expenditures.
<u>CFR</u>	Code of Federal Regulations.
<u>CHATS</u>	Child Care Automated Tracking System. This information system tracks purchases of child care services by county departments of social services.
<u>CHRP</u>	Children's Habilitation Residential Program Waiver. A Medicaid-financed waiver program which provides residential care and treatment for children with developmental disabilities placed through child welfare services of the county departments of social services.
<u>CIE</u>	Community Integrated Employment. This term refers to the effort to employ persons with developmental disabilities in the local labor market rather than in sheltered workshops.
<u>Class I</u>	Refers to general purpose long-term care nursing homes in which medical care is provided.
<u>Class IV</u>	A class of Intermediate Care Facilities for the Mentally Retarded (ICFs-MR), which are Medicaid-financed long-term care facilities for persons with developmental disabilities. Also, this term refers to Medicaid revenue earned by the Regional Centers. Class IV revenue is applied to the Regional Centers, and also in the Office of Health and Rehabilitation, the Executive Director's Office and the Office of Operations. The statutory basis for calculation of Class IV reimbursement is found in Section 26-4-410 (1) (a) (II) C.R.S. (1997).
<u>CMHC</u>	Community Mental Health Center. Organizations, defined in statute, that deliver comprehensive mental health services for seriously mentally ill persons of all ages. CDHS' Mental Health Services unit currently contracts with 17 CMHCs located throughout Colorado, as well as with six specialty clinics which provide more limited services than the CMHCs.

<u>CMHIFL</u>	Colorado Mental Health Institute at Fort Logan. Provides inpatient psychiatric treatment to residents of the Denver metropolitan area, as well as some patients from the north central and northeastern areas of the State. Additionally, the Institute operates a licensed Residential Treatment Center to provide comprehensive residential treatment for older children and adolescents with serious psychiatric and behavioral problems. The Institutes receives referrals statewide for children 10 years of age and younger. CMHIFL is organizationally located as part of CDHS' Office of Behavioral Health and Housing.
<u>CMHIP</u>	Colorado Mental Health Institute at Pueblo. Provides inpatient psychiatric services seriously mentally ill clients in the southern and western regions of Colorado and certain patients from the north central and northeastern areas of the State. The State Institute for Forensic Psychiatry and an acute care General Hospital, also located at the Institute receive referrals statewide. CMHIP is organizationally located as part of CDHS' Office of Behavioral Health and Housing.
<u>CMI</u>	Chronically mentally ill clients. These are individuals who suffer from mental illnesses such as schizophrenia, bipolar disorder, and severe depression, which seriously impair their ability to be self-sufficient.
<u>CMS</u>	Centers for Medicare and Medicaid Services (Formerly Health Care Financing Administration (HCFA). A federal agency established in 1977 within the Department of Health and Human Services. CMS administers and oversees the Medicare and Medicaid programs that benefit more than 70 million Americans.
<u>COFRS</u>	Colorado Financing and Reporting System. Refers to the statewide government automatic accounting system.
<u>COIN</u>	Client Oriented Information Network. The COIN system is a federally-certified automated system that recommends eligibility determinations and generates payments for individuals and families receiving cash benefits; generates assistance payments for recipients of OAP, AND, AB, and other adult income assistance programs; and maintains eligibility and issues medical authorization cards for Medicaid recipients on a monthly basis.
<u>COLA</u>	Cost of Living Adjustment. Refers to increases in program costs associated with inflation.
<u>COPAR</u>	Colorado Progress Assessment Review. COPAR is an assessment tool which measures changes in community integration, independence, satisfaction and productivity of people with developmental disabilities who are receiving services through CCBs or Regional Centers.
<u>COWD</u>	Colorado Office of Workforce Development. Entity in the Department of Local Affairs responsible for oversight of training and employment programs for Colorado citizens that are generally operated through local Workforce Centers.
<u>CPA</u>	Child Placement Agency. An entity that places or arranges to place a child under 18 in the care of an institution, family or person unrelated to the child.
<u>CRCP</u>	Central Registry for Child Protection. Legal name for the Child Abuse Registry which is an information system mandated by State statute that tracks all confirmed incidents of child abuse and neglect in Colorado.
<u>CRSP</u>	Colorado Refugee Services Program. CRSP administers federal formula and competitive grants and coordinates programs that serve refugees who arrive in Colorado annually, as well as the needy members of the residual refugee population.

<u>CSE</u>	Child Support Enforcement. The CSE program was established by federal and State law to locate <del>absent</del> parents and to obtain from them financial and medical support for their children. The State Division of CSE is part of the CDHS Office of Self-Sufficiency. It supervises the administration and operation of 64 county CSE units, which provide the following services: locate <del>absent</del> parents and their assets; establish paternity; establish and modify child and medical support orders; enforce child support orders; collect child support payments; and enforce medical support orders.
<u>CSLA</u>	Community Supported Living Arrangements. CSLA is a Medicaid program for adults with developmental disabilities which was implemented in FY 1993. This program provides the supports necessary to allow individuals to live on their own. It links services and supports provided through the DD system with other generic community services so that these adults, who remain responsible for their own living arrangements, have the necessary supports to be included in typical community life.
<u>CWEST</u>	Child Welfare Eligibility and Service Tracking System. The CWEST system collects and processes information on the entire child welfare client population, operationally supports the Office of Child Care licensing function, and calculates payments and issues warrants for the foster care and subsidized adoption payroll.
<u>CWP</u>	Colorado Works Program. This program is designed to provide assistance to needy families with or expecting children and to provide parents with job preparation, work and support services to enable them to leave public assistance programs and become self-sufficient.
<u>CWSA</u>	Child Welfare Settlement Agreement. A settlement agreement between the State of Colorado, the Department of Social Services (now Human Services), Division of Child Welfare and the Colorado Lawyer's Committee, dated June 1994, which calls for a variety of improvements in child welfare services throughout Colorado.
<u>CYF</u>	Children, Youth and Families.
<u>DAAP</u>	Domestic Abuse Assistance Program. A program established in the Department of Human Services in 1983 to administer the Domestic Abuse Program Fund. This program provides funding for local programs statewide to serve victims of domestic violence and their families.
<u>DITP</u>	Department Information Technology Plan. This is the systems planning document required by the IMC and OIT(see below) in July of each year.
<u>DD</u>	Developmental Disability <u>or</u> Disabilities. A disability manifested before a person reaches age 22 that constitutes a substantial handicap and is attributable to mental retardation or related conditions.
<u>DDD</u>	Division for Developmental Disabilities. This unit is part of CDHS' Office of Health and Rehabilitation. DDS is responsible for managing State-funded services and supports for persons with developmental disabilities.
<u>DDS</u>	Disability Determination Services. Formerly a part of Vocational Rehabilitation, DDS is now a separate division of the CDHS Office of Self-Sufficiency. DDS makes medical disability decisions for Colorado residents who apply for benefits under the federal SSDI and SSI programs.
<u>DI</u>	Deinstitutionalization. DI refers to the ongoing effort to help people move from institutional settings (e.g., Regional Centers, Mental Health Institutes, or nursing homes) to community living.
<u>DMH</u>	Division of Mental Health. This unit of the CDHS Office of Behavioral Health and Housing provides policy oversight and program monitoring for the public mental health system, which delivers statewide services for persons with mental illness of all ages who meet service criteria.

<u>DOLE</u>	Colorado Department of Labor and Employment.
<u>Downsizing</u>	A term related to DI. Refers to decreasing the number of people served in large congregate facilities.
<u>Dually Diagnosed</u>	Individuals who have more than one diagnosis or disability, for example, people with both a developmental disability and a mental health diagnosis, or individuals who have both a substance abuse problem and a mental health diagnosis.
<u>DUI</u>	Driving Under the Influence. Refers to the court sentence imposed on drivers convicted of driving vehicles under the influence of alcohol or other substances.
<u>DVR</u>	Division of Vocational Rehabilitation. DVR assists people who have disabilities to attain a level of functioning that will enable them to enter, reenter, or maintain employment and/or live independently.
<u>DYC</u>	Division of Youth Corrections, formerly known as the Office of Youth Services (OYS). This CDHS Division is responsible for management and oversight of State-operated and privately contracted residential facilities, and for community alternative programs that serve and treat youth aged 10-21 years who have demonstrated delinquent behavior.
<u>EI</u>	Early Intervention (formerly known as Infant Stimulation). Refers to a variety of services for infants and toddlers who have, or are at risk of having, developmental disabilities. The term “early intervention” may also be used to describe services provided to other at-risk populations for the purpose of preventing or ameliorating problems such as substance abuse, domestic violence or emotional disturbances.
<u>EBD</u>	Elderly, Blind and Disabled Medicaid Waiver. Managed by the Department of Health Care Policy & Financing. This waiver screens clients for nursing home care.
<u>EBTS</u>	Electronic Benefits Transfer System. Approved by H.B. 95-1144, this project will automate the distribution of public assistance benefits to clients.
<u>EFT</u>	Electronic Funds Transfer. Process of transferring funds electronically rather than by printing checks or vouchers.
<u>EDO</u>	Executive Director’s Office. The EDO is responsible for oversight, guidance and direction of the Colorado Department of Human Services.
<u>EMT</u>	Executive Management Team, a committee made up of the managers of each office within the Colorado Department of Human Services (CDHS). The Legislative Liaison, County Liaison and Public Information Officer also serve on this committee. EMT determines policy and overall direction of the CDHS.
<u>FC</u>	Foster Care. Generally means out of home placement of children for reasons of abuse and neglect or delinquency. More specifically, means placement in family settings as opposed to residential settings, but is sometimes used for any out-of-home placement. While serving this population under Medicaid is a state option, Colorado Statute requires that health care services be provided to this group.
<u>FACT</u>	Foster Care Transition. Refers to the movement of young adults with developmental disabilities from Child Welfare services to DD services when they reach age 21 and, thereby, “age out” of Child Welfare services.
<u>FFP</u>	Federal Financial Participation. Refers to the level of federal funding in a program.

<u>FICF</u>	Family Issues Cash Fund. Refers to the General Fund savings that accrue to programs as a result of federal Title IV-A Emergency Assistance earnings. Established in 1993 by Section 26-5.3 C.R.S. (1997)
<u>FCS</u>	Food and Consumer Service. Services such as food stamps provided through the federal Department of Agriculture.
<u>FEMA</u>	Federal Emergency Management Agency.
<u>FPE</u>	Full Program Equivalent. An FPE represents one program unit continuously filled for one fiscal year. FPE is basically the same concept as FTE.
<u>FP/FS</u>	Family Preservation and Family Support. This program provides funding and technical assistance to selected communities for the development of early intervention/prevention services that strengthen families and alleviate the need for Child Welfare intervention.
<u>FPLS</u>	Federal Parent Locator Service. FPLS is used for location services for child support and parental kidnapping.
<u>FS</u>	Food Stamps. Federal family-support subsidy program which provides food for families and individuals below certain income levels.
<u>FSQA</u>	Food Stamp Quality Assurance
<u>FSR</u>	Family Support Registry. FSR is the central child support enforcement payment receiving and disbursement center. Over <del>\$137</del> \$300 million in <del>IV-D</del> child support payments are received and subsequently disbursed to approximately <del>400,000</del> 125,000 families annually.
<u>FSSP</u>	Family Support Services Program. Within the DD service delivery system, this program provides in-home supports to families who have a dependent with DD in order to have that dependent remain at home.
<u>FTE</u>	Full Time Equivalent. Refers to one staff position filled continuously for one fiscal year.
<u>GAPS</u>	General Adult Psychiatric Services. Serves adults at the Mental Health Institutes.
<u>GGCC</u>	General Government Computer Center. Center for Colorado Government computing, now known as Division of information Technologies.
<u>GSS</u>	General Support Services. Formerly Colorado Department of Administration and Colorado Department of Personnel.
<u>GTC</u>	Geriatric Treatment Center. Provides short-term assessment and treatment of mental disorders for patients 60 years and older at the Mental Health Institutes.
<u>HCA</u>	Home Care Allowance. The HCA program, administered by the Colorado Department of Health Care Policy and Financing, provides in-home services necessary for clients to remain in their own homes. It is one of the lowest cost alternatives in the "continuum" of long term care services, which serves as an alternative to more expensive institutional care.
<u>HCB-DD</u>	Home and Community Based Services for the Developmentally Disabled. This program (also known as the Medicaid Waiver), which is provided as an alternative to care in an ICF/MR, is the major vehicle for funding Medicaid community day and residential services for persons with developmental disabilities.

<u>HCB-EBD</u>	Home and Community Based Waiver for the Elderly, Blind and Disabled. This program provides services to clients as an alternative to care in a nursing home.
<u>HHS</u>	Health and Human Services. Federal agency that provides oversight and funding for many CDHS programs and services.
<u>High Need</u>	Individuals with developmental disabilities who have very intensive service needs. They <u>Individuals</u> may have multiple disabilities, medically intensive conditions, or present challenging behaviors. The higher cost of providing services for these individuals includes higher staff: client requirements, specialized professional staffing requirements, and specialized medical expenses and/or adaptive equipment.
<u>HIMS</u>	Health Information Management System. Medicare/Medicaid billing system for the Mental Health Institutes, Regional Centers and State Veterans Nursing Homes.
<u>ICF/MI</u>	Intermediate Care Facility for the Mentally Ill. An ICF/MI is a Medicaid-financed long-term care facility for persons with severe mental illnesses.
<u>ICF/MR</u>	Intermediate Care Facility for the Mentally Retarded. An ICF/MR is a Medicaid-financed long-term care facility for persons with developmental disabilities. The three Regional Centers are State-run ICFs/MR. In the DD budget, the term “private ICFs/MR” is used in reference to ICFs/MR not operated by the State.
<u>ICF/MR Conditions of Participation</u>	Refers to the eight specific conditions that must be met in order to qualify for funding under the Medicaid program (Title XIX).
<u>IFP</u>	Institute for Forensic Psychiatry. Psychiatric treatment unit at the Mental Health Institute at Pueblo for the treatment of mentally disordered criminal offenders.
<u>IMC</u>	Information Management Commission. An executive committee appointed by the Governor which reviews and recommends funding requests by State departments for automated technology.
<u>IRC</u>	Individual Responsibility Contract. Refers to an agreement between a recipient of public benefits or services (TANF) and the county Colorado Works Program defining responsibilities of both parties in relation to securing and maintaining training, education or work that leads to self-sufficiency.
<u>IRSS</u>	Individual Residential Support Services. Refers to individually-oriented unlicensed residential services for no more than three persons with developmental disabilities, such as Personal Care Alternatives and Host Homes.
<u>IRT</u>	Intensive Residential Treatment. A type of treatment for alcohol/drug clients which involves a residential stay averaging 21 days combined with intensive, daily therapy.
<u>ITS</u>	Information Technology Services. This CDHS Office provides support services for automated equipment, software, telecommunications and other technological functions.
<u>JCAHO</u>	Joint Commission on the Accreditation of Healthcare Organizations. JCAHO is a national accreditation agency for hospitals. Lack of accreditation from this agency can seriously affect the ability to gain reimbursement from Medicaid and Medicare.
<u>JOBS</u>	Job Opportunities and Basic Skills Program. Formerly provided skills training or post-secondary education and subsidized child care for clients in Aid to Families with Dependent Children

households aimed at assisting these households to achieve self-sufficiency. This program was terminated July 1, 1997. Subsequent to this date, all assistance ~~will be~~ is provided through the Temporary Assistance for Needy Families program.

- LAN Local Area Network. Group of microcomputers connected by a single or multiple servers.
- LEAF Law Enforcement Assistance Fund. Financed from DUI offenses, LEAF provides funding for the Department of Public Health and Environment's laboratory and for community substance abuse prevention projects.
- LEAP Low-Income Energy Assistance Program. LEAP provides cash assistance to help low-income households meet the costs of winter home heating. Funding for LEAP is 100% federal.
- MAC Medicaid Authorization Card. MACs are issued by county departments of social services as proof of Medicaid eligibility.
- MC Micro Computer. Refers to the desk-top processing unit that is commonly called a PC or personal computer. Also describes the portable laptop computer.
- MCO/MSO Managed Care or Service Organization. Contractual agencies that provide case management and certain client services for State programs at a predetermined rate.
- MHASA/BHO Mental Health Assessment and Service Agencies/Behavioral Health Organization. These contractual agencies operate the Colorado Medicaid Mental Health Capitation and Managed Care Program. These agencies provide a wider array of Medicaid-reimbursable mental health services than are available through the Medicaid fee-for-service program, at a lower cost to the state.
- MHI Mental Health Institutes. The Colorado Mental Health Institutes at Pueblo and Fort Logan that serve predominately Medicaid, forensics and indigent Colorado residents with serious mental illness. The Institutes are under the direction of the CDHS Office of Behavioral Health and Housing.
- MHS Mental Health Services. This unit of the CDHS Office of Behavioral Health and Housing provides policy oversight and program monitoring for the integrated public mental health system, which delivers Statewide services for mentally ill persons of all ages who meet service criteria.
- MMIS Medicaid Management Information System. The computerized information system that provides management information and support for the Medicaid program, administered by the Department of Health Care Policy and Financing.
- MNT Multiuse Network. Refers to the statewide digital data lines that provide high-speed internet access.
- Model Waivers These are Medicaid programs designed to avert inpatient hospital care or care in an ICF/MR for children in specific target populations by allowing their families to access Medicaid services for them while they remain in the family home or by providing services in a lower cost out-of-home setting. The target population includes children with developmental disabilities and others with high medical needs. Ordinarily, a portion of the parent's income is used to determine a child's eligibility for Medicaid if the child is living in the family home. A portion of the parental income is "deemed" to belong to the child. A provision under this Waiver allows states to disregard, or waive, the deeming provision. This allows children in the target population, who would otherwise be ineligible for Medicaid services while living in the family home, to access Medicaid-funded services. This program is an optional Medicaid service which may be capped at a specific level, typically 200 children for each model waiver the State offers.

<u>MOE</u>	Maintenance of Effort. This term usually refers to the level of State financial participation required to continue to receive federal grant dollars.
<u>MSW</u>	Minimum Support Waiver. This program provides community-based services to persons with developmental disabilities who are eligible under the Intermediate Care Facility for the Mentally Retarded (ICF/MR) screen.
<u>NAPIS</u>	National Aging Program Information System. A national reporting system which gathers data from programs funded by the Older Americans Act.
<u>OAP</u>	Old Age Pension. The OAP program provides financial benefits to individuals age 60 years or older. There are three categories of assistance: OAP-A, OAP-B, and OAP-C.
<u>OAP-A</u>	Old Age Pension-A. Provides financial benefits to persons who are age 65 and older.
<u>OAP-B</u>	Old Age Pension-B. Provides financial benefits to persons who are age 60-64. When a person reaches age 65, they are classified as OAP-A.
<u>OAP-C</u>	Old Age Pension-C. Provides financial benefits to persons in state institutions who receive no medical benefits.
<u>OBHH</u>	Office of Behavioral Health and Housing. The office within the Colorado Department of Human Services that has the responsibility for the Alcohol and Drug Abuse Division, Supportive Housing and Homeless, Mental Health Services, and the Mental Health Institutes.
<u>OBRA-87</u>	The Omnibus Reconciliation Act of 1987. OBRA-87 included numerous changes in nursing home regulations, many of which impacted people with developmental disabilities and mental illnesses who were living in nursing homes. In response to this legislation, Colorado has provided funding since FY 1990 to move people from nursing homes to DD and mental health community programs.
<u>OBRA Specialized Services</u>	DD system day program services provided for people with developmental disabilities who continue to live in nursing homes. These services are supported with General Fund because a person cannot be enrolled in two different Medicaid-funded programs at the same time, such as an HCB-DD program and a nursing home program.
<u>OCBMS</u>	Office of the Colorado Benefits Management System (CBMS). This new Office that was established by the Governor in May 2005. This office is accountable for the overall control of CBMS from a direction, management, and delivery perspective.
<u>OCFS</u>	Office of Children, Youth and Families.
<u>OHR</u>	Office of Health and Rehabilitation. The agency which administers and oversees mental health and developmental disabilities services.
<u>OIT</u>	The Governor's Office of Innovation and Technology
<u>OITS</u>	Office of Information Technology Services.
<u>OO</u>	Office of Operations.
<u>OPI</u>	Office of Performance Improvement.
<u>OSS</u>	Office of Self-Sufficiency

<u>OTI</u>	Office of Treatment Improvement. Refers to the federal Justice Department office that grants juvenile justice funds to states.
<u>OYS</u>	Office of Youth Services. Now known as the Division of Youth Corrections (DYC).
<u>PC</u>	Personal Computer. See MC above.
<u>PCA</u>	Personal Care Alternatives. PCA is a residential service provided in a non-group home setting for one to three people with developmental disabilities who live together. The term relates only to the number of people living together and not to the level of need or services provided.
<u>PEP</u>	Paternity Establishment Program. The purpose of PEP is to improve paternity establishment through voluntary establishment and adjudicated establishment processes.
<u>PEP</u>	Paternity Establishment Percentage. Refers to voluntary and adjudicated ratios for establishment of paternity of children born out of wedlock. Federal law has set a 90% paternity establishment rate.
<u>PERA</u>	Public Employees Retirement Association.
<u>PRWORA</u>	Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193). Also known as the Welfare Reform Bill of 1996.
<u>PSRU</u>	Psychosocial Rehabilitation Unit located at the Mental Health Institute at Pueblo.
<u>PSAP</u>	Psychiatric Substance Abuse Program. Serves individuals with dual diagnosis of mental illness and substance abuse at the Mental Health Institute at Pueblo.
<u>RCs</u>	Regional Centers. The State-operated direct service facilities for persons with developmental disabilities. Colorado's three RCs are located in Grand Junction (GJRC), Pueblo (PRC) and Wheat Ridge (WRRC). All are both Class IV ICF/MRs and Medicaid Waiver facilities.
<u>RCCF</u>	Residential Child Care Facility. RCCFs are facilities licensed to provide 24-hour group care and treatment for five or more children with behavioral problems.
<u>RFI</u>	Request for Information. RFI is used to obtain preliminary information about a market, type of available service or a product when there is not enough information readily available. The RFI must clearly state that no award will result.
<u>RFP</u>	Request for Proposal. RFP is a process used in acquiring services or merchandise when factors other than cost need to be evaluated in selecting a contractor.
<u>RTC</u> s	Residential Treatment Centers. RTCs are licensed RCCFs that provide care and Medicaid-funded mental health treatment for children and youth with mental health diagnoses.
<u>SACWIS</u>	State Automated Child Welfare Information System. SACWIS is used to provide automated case management reporting tools to child welfare, juvenile justice, Medicaid, Child Support and child care programs on statewide basis.
<u>SAMHSA</u>	Substance Abuse and Mental Health Services Administration.
<u>SAVE</u>	Systematic Alien Verification for Entitlement system. SAVE is a federally-mandated data transmittal administered by Refugee Assistance Services to ensure that non-citizen applicants for Medicaid, Food Stamps and TANF programs are not using fraudulent documents.

<u>SB 91-94</u>	Refers to the locally-based DYC programs, established by Senate Bill 91-94, that care for delinquent youth in their own communities.
<u>SDNH</u>	State Directory of New Hires is the agency responsible for receiving reports on new hires from all employers in Colorado. Federal welfare reform legislation mandates that each state implement a State Directory of New Hires effective October 1, 1997.
<u>SES</u>	Senior Executive Service. A distinct classification of senior management State employees nominated for positions by the Executive Director based on merit and fitness.
<u>SHHP</u>	Supportive Housing and Homeless Programs. This division of the Office of Behavioral Health and Housing develops and coordinates resources and housing services that facilitate self-sufficiency, stability and safety for Colorado's homeless and persons with special needs.
<u>SLS</u>	Supported Living Services are a group of services provided by the Developmental Disabilities Services. SLS provides the necessary supports to assist individuals to live independently or in their family homes and avoid or delay more costly residential services. Supports may include, but are not limited to, personal assistance with daily living needs, homemaker services, assistive technology, home modification, employment and other rehabilitative services, respite services and twenty-four hour emergency assistance.
<u>SMI</u>	Serious Mental Illness(es). These are mental illnesses such as schizophrenia, bipolar disorder, and severe depression, which seriously impair the ability to be self-sufficient.
<u>SNA</u>	System Network Architecture. Refers to the statewide infrastructure that is operated by DoIT and enables system connectivity to all State Counties.
<u>SNAP</u>	Supplemental Nutrition Assistance Program. The new name for the federal Food Stamp Program. The new name reflects the changes the State has made to meet the needs of the clients, including a focus on nutrition and an increase in benefit amounts.
<u>SO</u>	Colorado Department of Human Services Strategic Objective. Thirty-seven strategic objectives are listed in the Department Budget Request Schedule 1.
<u>SPLS</u>	State Parent Locator Service. SPLS is used for location services for child support and parental kidnapping.
<u>SSA</u>	Social Security Act or Administration. The SSA is the set of Federal Laws, Titles I through XX, enacted by Congress to establish a system of Federal old-age benefits and to enable the states to make more adequate provision for aged persons, blind persons, dependent children, maternal and child welfare, and public health. Also, "SSA" may refer to the Federal agency responsible for administering the Social Security Act.
<u>SSDI</u>	Social Security Disability Insurance. SSDI payments are made under provisions of Title II of the Social Security Act to eligible individuals who are unable to engage in a substantial gainful activity due to a physical or mental disability.
<u>SSI</u>	Supplemental Security Income. SSI payments are made under provisions of Title XVI of the Social Security Act to eligible individuals 65 years of age and over; eligible individuals who are blind; and eligible individuals 18 years of age and over who are permanently and totally disabled.

<u>STIRRT</u>	Short-term Intensive Residential Remediation Treatment. This program, which is managed by the Alcohol and Drug Abuse Division, treats clients who have substance abuse problems and are at risk of incarceration.
<u>TANF</u>	Temporary Assistance for Needy Families. TANF is the federal program established by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PL 104-193) which <del>replaces</del> replaced the AFDC, JOBS and Emergency Assistance programs.
<u>TASC</u>	Treatment Alternatives to Street Crime. TASC is a federal program which provides funding for community programs to assist juveniles and families in high crime areas.
<u>TBI</u>	Traumatic Brain Injury. TBI is defined as damage to the brain caused by external physical force, including acceleration/deceleration injuries. This does not include brain injury caused by a congenital causation, degenerative diseases, surgical interventions or anoxia.
<u>TCC</u>	Transitional Child Care. TCC refers to child (day) care funded through Title IV-A of the Social Security Act and provided to children of employed former AFDC recipients. Beginning in October 1996, this program was combined with the JOBS and At-risk child care programs into the Child Care Development Fund.
<u>TCM</u>	Targeted Case Management. TCM is Medicaid-funded case management for people with developmental disabilities who are Medicaid eligible, but not enrolled in Medicaid funded HCB-DD, ICF/MR, or nursing home programs. States may define the “target” group. Colorado’s target group is Medicaid-eligible persons who are enrolled in State-funded adult residential services, adult day services, early childhood or family support services. The target group does not include people on the waiting list for developmental disability services.
<u>TCM-DD</u>	Targeted Case Management--Developmentally Disabled. TCM-DD refers to Medicaid-funded case management services for persons with developmental disabilities who are not served under the HCBS waiver for the Developmentally Disabled.
<u>Title IV-A</u>	Title IV-A of the Social Security Act. Refers to the <del>Aid to Families with Dependent Children</del> Temporary Assistance for Needy Families Program.
<u>Title IV-B</u>	Title IV-B of the Social Security Act. Refers to the Child Welfare Services Program.
<u>Title IV-D</u>	Title IV-D of the Social Security Act. Refers to the Child Support Enforcement Program.
<u>Title IV-E</u>	Title IV-E of the Social Security Act. Refers to the Foster Care and Adoption Assistance Program.
<u>Title IV-F</u>	Title IV-F of the Social Security Act. Refers to the Job Opportunities and Basic Skills Program.
<u>Title XVIII</u>	Title XVIII of the Social Security Act. Refers to Medicare. This program funds health insurance for the aged and disabled.
<u>Title XIX</u>	Title XIX of the Social Security Act. Refers to Medicaid.
<u>Title XX</u>	Title XX of the Social Security Act. Refers to Social Services other than those included in the other Titles of the Social Security Act. This title is also referred to as the Social Services Block Grant.
<u>TRT</u>	Transitional Residential Treatment. Refers to community transitional treatment of ADAD clients.
<u>Trails</u>	see <u>SACWIS</u> .
<u>UCB</u>	Unemployment Compensation Benefits.

Under 21 Inpatient Psychiatric Hospital Care for Persons Under Age 21. Refers to inpatient psychiatric Psych services funded by Medicaid for persons under age 21.

USDA United States Department of Agriculture.

VA Veterans Administration. The VA is the federal agency responsible for establishing resident care standards and for making the per diem payment for veterans residing in the Homelake Domiciliary.

Waiting Lists When people are determined eligible and in need of services, but no openings are available, they are placed on a waiting list. Waiting lists occur in both the DD and MHS systems. The waiting list within Vocational Rehabilitation is known as order of selection.

WAN Wide Area Network. System of widely distributed computer workstations, generally with multiple file servers.

# Social/Human Services Programs

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## ASSISTANCE PROGRAMS

Eligibility for each program is determined on an individual basis according to State and Federal Guidelines.

### ***Food Assistance:***

This is a federally funded program. It is designed to safeguard the health and well-being of both families and individuals by raising the level of nutrition. Food Assistance is issued through the Electronic Benefit Transfer (EBT) card.

### ***Medicaid:***

The Colorado Medical Assistance Act provides eligible low-income Colorado individuals with medical coverage ranging from pre-natal to nursing home care. Other medical programs are available including transition Medicaid benefits, emergency services, and Child Health Plans Plus.

### ***CCCAP (Colorado Child Care Assistance Program):***

This program provides eligible families with financial assistance for child care of their choice. This includes childcare for low-income parents, childcare for work program participants, and special circumstance childcare for those who meet Child Welfare criteria.

### ***Colorado Works:***

The Colorado Works Program serves low-income families with children by providing income assistance and supportive services to help participants become and remain self-sufficient. This program is federally funded with Temporary Assistance to needy Families (TANF) money. TANF recipients are required to participate in work related activities designed to prepare them to accept and retain employment.

### ***Employment First:***

Employment First is also federally funded and is designed to ensure all able-bodied/non-exempt food assistance recipients are engaged in activities that will improve their employability.

### ***Low Income Energy Assistance Program (LEAP):***

This program is also a federally funded program which helps low-income households pay their home heating costs from November 1<sup>st</sup> through April 30<sup>th</sup> of each year. (Most of these payments are made directly to the heat or fuel providers).

### ***Old Age Pension (OAP):***

This assistance program provides financial assistance and medical benefits to low income adults 60 and older. It is usually a home care allowance.

### ***Aid to the Needy Disabled (AND):***

This program provides financial assistance to disabled individuals from age 18 through 59. Clients must have applied for Supplemental Security Income (SSI) to be eligible.

### ***Investigation and Recovery:***

This is a program where the county department investigates and prosecutes through the district court for recovery of system abuses in all areas to make sure individuals are not defrauding they system.

### ***Child Support Enforcement:***

Child Support Enforcement provides services for the establishment of paternity, child support and medical support when available. It also provides services for the enforcement of child support financial order and medical support orders and modifies existing support orders.

## SERVICE PROGRAMS

These services are not based on financial status.

### ***Adult Protective Services:***

This program is designed to intervene with, or on behalf of, at-risk adults to correct or alleviate situations in which actual or imminent danger of abuse, neglect, exploitation or self-neglect exists and to utilize support systems to provide continuing safety from the mistreatment of self-neglect (An at-risk adult is any person who is sixty years or older or any person who is eighteen or older with certain disabilities).

### ***Child Welfare Services:***

These services include investigating referrals of child abuse and neglect, provision of on-going services to ensure the safety of children, and to strengthen families when abuse and neglect are present. Services include case management, referrals to other agencies for treatment, foster care, adoption, and core services.

### ***Youth Services:***

These services evaluate situations of children out of control of their parents or guardian and the community. They provide ongoing services within limited parameters and/or referrals to appropriate agencies.

### ***Placement Services:***

This services agency provides careful coordination and monitoring for out of home placement of children, when necessary, in foster homes, group homes, child placement agencies, and residential child care facilities.

### ***Family Preservation Programs and CORE Services:***

This program assists eligible families in using their own resources to build their relationships, and assure protection and safety for their children. Services provided include crisis counseling, intensive family therapy, substance abuse treatment, and sexual abuse treatment for victims.

## Land Use and the County Commissioner

- **Planning or Land Use in Colorado is mostly controlled locally by the municipality or County in your case.**
- **Every County is authorized to appoint a Planning Commission. [C.R.S. 30-28-103(1)]**
  - **The Board of County Commissioners is allowed to be the Planning Commission, if it so chooses, in counties of 15,000 people or less. [C.R.S. 30-28-103(1)]**
  - **Counties with a population of under 100,000 are authorized to appoint a Planning Commission between three and nine members. [C.R.S. 30-28-103(1)]**
  - **Counties with a population of over 100,000 are authorized to appoint a Planning Commission between three and fifteen members. [C.R.S. 30-28-103(1)]**
  - **The Planning Commission is an advisory board to the Board of County Commissioners. [C.R.S. 30-28-106(3)(a)]**
  - **The Planning Commission's responsible to make and adopt a Comprehensive Plan or "Master Plan" for the unincorporated territory of the county if the county falls in the following category.**
    - **Counties with a population of 100,000 or more are required to have a Master Plan. [C.R.S. 30-28-106(4)(a)(II)]**
    - **Counties which have a **population of 10,000** and a 10% growth rate over any 5-year period are required to have a Master Plan. [C.R.S. 30-28-106(4)(a)(I)(B)]**

- When a Master Plan is adopted, the Planning Commission is stating that it has review and received public input on the unincorporated territory of the county and is recommend to the Board of County Commissioners development criteria within the unincorporated territory of the county. *[C.R.S. 30-28-106(1)]*
  - The Planning Commission must take action on any proposed improvements within 30 days from submittal by the applicant or it is deemed approved, unless a longer period is granted by the submitting board, body, or official. *[C.R.S. 30-28-110(1)(e)]*
- The Board of County Commissioners is authorized to provide for the zoning plan for all or any part of the unincorporated territory of their county **through the Planning Commission**. *[C.R.S. 30-28-111(1)]*
  - When the Board of County Commissioners provides zoning, they are providing a process in which land is divided and classified to its adopted use, such as residential, commercial or agricultural. *(C.R.S. 30-28-102)*
  - The board may enforce adopted zoning regulations by means of withholding of building permits. *(C.R.S. 30-28-114)*
- Every Board of County Commissioners is required to adopt and enforce subdivision regulations for the unincorporated territory within the county. *[C.R.S. 30-28-133(1)]*
- Senate Bill 72-35 (*enacted in statues C.R.S. 30-28-101(10)(b)*) states that “subdivision” or “subdivided land” which is land that is being divided into two or more parcels with separate interest or interest in common, shall not apply to any division of land which creates parcels of land each which is thirty-five acres or more.
- The Board of County Commissioners are not to sign any subdivision plat until the board has approved one or a combination of the following: *[C.R.S. 30-28-137(1)]*

- **Subdivision Improvements agreement, which is an agreement to construct any required improvements, together with collateral which the board feels adequate to complete the improvements.**
- **Agreements or contracts setting forth the plan, method, and parties responsible for the construction of any improvements.**
- **House Bill 74-1041 granted counties “1041 powers” which states that counties may designate, after public hearings, certain areas of state interest from among the following: (C.R.S. 24-65.1-101)**
  - **Mineral resources areas;**
  - **Natural hazard areas;**
  - **Areas of historical, natural, or archaeological resources;**
  - **Areas around key facilities in which development may have an impact (airports, public utilities, highway exchange).**
- **Planned Unit Development is another tool some counties are using. A PUD is a type of building development and also a regulatory process. It is a mixture of both land uses and dwelling types with at least one of the land used being regional in nature. (C.R.S. 24-67-104)**
- **“Vested Rights” are very important in many fast growing counties. What these rights say is that once a site specific development plan has been approved, that the county cannot change regulations for that development. (C.R.S. 24-68-101)**



***Thank you for attending the  
Newly Elected County Officials' Orientation.***

**Please call or email CTSI whenever  
we can be of assistance.**

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