



## Colorado Opioid Abatement Council (COAC) Review Committee

### Meeting #19

July 28<sup>th</sup>, 2025  
4:00p– 5:00pm

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**Appointees:** Andy Kerr, Brandi Freeman, Aaron Miltenberger

**DOL Staff:** Jack Patterson, Christian Dykson, Jamie Feld

**Guests:**

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#### Welcome and Introductions

The meeting was opened by ORU staff, who welcomed attendees, reviewed the agenda, and confirmed that the committee would address minutes approval, an infrastructure award amendment, expenditure reporting, infrastructure funding priorities, the 2025–2026 regional plans, contingency funds, and plan compliance.

#### Infrastructure Award Amendment

ORU staff introduced a budget amendment request from 5280 High School, Colorado’s first recovery high school, serving approximately 125 students. A change in state law prohibited continued use of existing vans for student transportation, requiring new 30-passenger buses. The school, which had originally received funding for facility renovations, sold the property intended for upgrades and no longer required those funds for construction. Instead, the request was to reallocate funds to purchase three buses and hire an additional driver. This amendment would allow transportation of up to 60 students and expand service to Aurora, Boulder, Parker, and other communities.

Committee members discussed the significant change in scope. Aaron Miltenberger noted this was the third large capital award amendment and expressed concern about consistency with the original scoring. ORU staff highlighted that the change was classified as substantive under policy and emphasized that it still aligned with original goals of expanding access and supporting high-risk youth. Dr. Freeman asked whether the award would have been scored differently if initially framed as a transportation project. ORU staff explained that reviewers had emphasized service delivery and student access over physical construction. ORU staff added that during a site visit, counselors were personally transporting students due to the lack of vehicles, underscoring the urgent need. Commissioner Kerr reflected on the challenges of public transportation and ORU staff highlighted that students travel considerably larger geographic distances than a typical school due to the limited number of recovery high schools in the state. The committee concluded that while the request represented a change, it was consistent with the school’s goals.

*Aaron Miltenberger moved to approve the 5280 High School budget amendment*

*Dr. Freeman seconded*

*Unanimously approved*

#### Region 3 Expenditures

ORU staff informed the committee that Region 3 (Weld County) shared with the COAC that they had a 2025 contract valued at \$28,500 to support a K9 unit that included educational presentations for youth and first

responders. This contract was committed prior to notification being sent out in July 2025 clarifying that law enforcement uses of settlement funds are not allowable under Exhibit E.

The contract runs from January through December 2025, and Region 3 disclosed it proactively rather than waiting until next year's reporting cycle.

Region 3 categorized the expenditure in its two-year plan as "education for first responders and youth," citing that the K9 unit would participate in community presentations. However, ORU staff noted—and committee members agreed—that the program's primary function was law enforcement, which falls outside the scope of allowable uses. Aaron Miltenberger emphasized that regions had been notified of the Exhibit E changes well in advance and that while municipalities face budget shortfalls, opioid settlement funds cannot be used to backfill law enforcement costs. He also acknowledged the effectiveness of K9 units in local law enforcement but stressed that this was not the role of these funds. Dr. Brandi Freeman added that she appreciated Region 3 for "asking permission instead of forgiveness," but ultimately agreed that the expenditure was not allowable. Commissioner Andy Kerr also voiced support for this position.

The committee did not take a formal vote but agreed the issue should be elevated to the full COAC for further discussion in August.

### **Minutes Approval**

Following these updates, the committee moved to approve the May 2025 meeting minutes.

*Andy Kerr moved to approve the May 2025 meeting minutes.*

*Aaron Miltenberger seconded.*

*Unanimously approved.*

### **Infrastructure Funding Priorities**

ORU staff presented proposed revisions to infrastructure funding priorities ahead of Round 4 awards. Suggested changes included: (1) adding a new priority for applications from or serving rural, underserved, and disproportionately impacted communities; (2) striking Priority #5, which penalized entities that had previously received funding; (3) consolidating Priorities #1 and #3, which separately emphasized multi-regional and regional collaboration; and (4) combining Priorities #2 and #4, which both focused on matching funds and supplementation.

Concerns were raised about merging regional and multi-regional priorities, as some feared it could disadvantage rural areas. ORU staff clarified that consolidation aimed to avoid penalizing large single-region projects that demonstrated collaboration. Committee members supported adding language on rural and disproportionately impacted communities but discussed refining the wording, particularly "applications from" versus "applications serving." ORU staff agreed to refine the wording, consider these concerns, and present revisions to the Administrative Committee and the full COAC in August.

### **2025-2026 Regional Plans**

ORU staff presented updated allocations for the 2025–2026 two-year plans. All but one region rolled over significant funds from the 2022–2024 cycle into the new plans, reflecting the ongoing process and time required to distribute funds in an accountable manner. The updated allocations covered approved purposes such as infrastructure staffing, supportive housing, substance use prevention, and harm reduction.

The only flagged line item was Region 3's \$28,500 allocation for a K9-related program, which had already been discussed earlier in the meeting.

ORU staff explained that although most allocations were clear and consistent with Exhibit E, the reporting process had been complicated due to multiple amendments made by regions before submitting final plans. To

address this, staff presented the final product in a streamlined format for clarity. They emphasized that all allocations, aside from the Region 3 issue, aligned with allowable uses under Exhibit E.

Committee members responded positively. Aaron Miltenberger praised the transparency of COAC's dashboard and noted that advocacy groups were looking to it as a model for accountability in other funding initiatives. ORU staff also acknowledged feedback received through the anonymous portal that the dashboard could be difficult for lay audiences to navigate, and they committed to continuing improvements to make the tool more accessible.

#### **Public Comment**

No public comments were made.

#### **Contingency Funds & Plan Compliance**

ORU staff opened a discussion on contingency funds and regional compliance with two-year plans. They explained that under the MOU, regions are required to submit two-year plans and certify compliance through expenditure reporting, though they are also permitted to amend their plans as needed. In practice, regions have taken widely different approaches to drawing down funds. Some regions wait to request funds until they have specific contracts and award amounts identified, ensuring precise alignment with their plans. Others, such as Region 19 in the southeast corner, request all available funds up front and allocate them broadly into categories like treatment, prevention, and harm reduction, then decide later how to distribute funds within those categories.

ORU staff highlighted several emerging questions: whether it is allowable for regions to withdraw funds specifically to establish an "emergency fund" for nonprofits, whether funds can be drawn down primarily to generate interest, and what expectations should be placed on regions to update their plans once funds are reallocated. They noted that some regions are treating their two-year plans as general guidance documents, while others are using them as stricter spending roadmaps.

Committee members acknowledged that this variation created uncertainty and could complicate oversight. They discussed whether clearer expectations should be set for how quickly funds must be spent after being drawn down, and whether regions should be required to provide more specific updates when amending their plans. Aaron Miltenberger and Commissioner Andy Kerr both commented that this was a complex issue that would require deeper discussion.

ORU staff concluded by stating that the issue of contingency funds and plan compliance would be elevated to each subcommittee and full COAC to develop clearer guidance.

#### **Adjourn**