

UNOFFICIAL MINUTES FOR DECEMBER 15, 2011

The Regular Meeting of the Kiowa County Commissioners was called to order at 9:00 a.m. by Chairman Richard Scott on December 15, 2011. Commissioner Scott opened the meeting with prayer and the Pledge of Allegiance. Those attending were:

Richard Scott, Commissioner
William E. Koehler, Commissioner
Donald Oswald, Commissioner
Debra C. Lening, County Clerk
Peggy Dunlap, Administrator

Jeanne Sorensen entered the meeting as a visitor.

Minutes from the November 22, 2011 Regular Meeting, the December 1, 2011 Special Meeting, and the December 6, 2011 Special Meeting were presented. Koehler made the motion, seconded by Oswald, to approve the minutes as presented. All Commissioners voted affirmative.

The vouchers were reviewed. Four vouchers were questioned. Vouchers were approved and signed.

The Public Health Nurse draft of the new Memorandum of Agreement contracts and new fees were submitted to both Kiowa County School Districts. Since the Public Health Agency will be contracted under the Prowers County Public Health Agency starting in January, 2012, it is necessary for both schools to enter into new agreements for coverage also.

An invoice for the TV tower keys and lock box was paid. The keys are in the Commissioner's office. The temporary licenses for the tower were received so the County can move forward on updating the digital equipment.

The Prairie Pines Assisted Living (PPAL) roof was discussed. Scott made the motion, seconded by Koehler, for the Martin Contracting voucher to be held until each phase of repair is completed and that a certified letter be sent stating that the money will be held until one more coat of material is applied and approved by Maintenance Supervisor Mike Crain. All Commissioners voted affirmative.

The PPAL generator was discussed. The grant requires a match and that has been communicated that the match is in place. Oswald made the motion, seconded by Koehler, to sign the contract with Western Power Group for the generator for PPAL. All Commissioners voted affirmative. There will be cement, rebar, fuel, and manpower expenses billed along with the purchase of the generator.

There was discussion regarding insurance coverage for the Towner Community Hall and the theater in Eads. The Towner Recreation District inquired if the playground equipment has liability coverage. The Commissioners will check with CTSI.

Linley Stum and Cardon Berry met with the Commissioners for a conference call to Railroad Industries, Inc. regarding the Towner Line railroad to brainstorm ideas to save the line.

Glen Marciniak, the Community Energy Coordinator for Southeast Colorado RC&D with the Governor's Energy Office met with the Commissioners. He has been assigned to a 6 county area which includes Kiowa County. He has grants available to educate and inform the public. He is not asking for money, but he is asking for support. Kiowa County has been neglected more than the other five counties he represents. He also wants to help with economic development in Kiowa County, pulling resources together. He wants to keep the County informed and promote energy efficiency.

The Commissioners talked with Foreman Allen Wade Watts regarding the loader that broke down. It will cost approximately \$15,000 for an engine or an allotment of \$7,000 as a trade in. The bucket is in bad shape on this old loader. No decisions were made at this time.

PPAL Assistant Administrator Crystal Mozisek met with the Commissioners regarding personnel issues. Oswald made the motion, seconded by Scott, pursuant to Colorado Revised Statutes, Title 24, Article 6, Section 402 at subsection VIII (4)(f)(I) to go into executive session to discuss Personnel Matters. All Commissioners voted affirmative. The meeting went into executive session at 11:45 a.m.

The Commissioners came out of executive session and resumed the Regular Meeting at 12:45 p.m.

After some discussion, Oswald made the motion, seconded by Koehler, to advertise for a part time maintenance position for the Bransgrove Building. All Commissioners voted affirmative.

Dennis Pearson, Director of the Department of Social Services (DSS), met with the Commissioners. They discussed the financial situation at DSS. Day Care Director Carole Spady would like to move some of her part time people to full time. The Commissioners will contact Carole to discuss this matter with her, but don't want any changes until after December 29th, 2011. There are only four full time employees at this time and there had previously been six full time employees. The time clocks are going to be installed and will start being used. Time cards will accompany the vouchers for payment. Appropriations to supplement the DSS budget were discussed.

Dwight Gardner with Senator Bennett's office set up a January 10th, 2012 meeting with the Commissioners to discuss the railroad issues and the Farm Bill.

Oswald made the motion, seconded by Koehler, to transfer 2/3 of the Health Fair Funds to the hospital, maintaining 1/3 of the funds for the Public Health Agency (PHA). \$14,883.45 is in the Health Fair Funds account to date. \$9,922.30 will be transferred to the Weisbrod Memorial Hospital and \$4,961.15 will be retained by PHA. All Commissioners voted affirmative.

Murdock Building updates were presented.

The Treasurer's report was reviewed.

The Clerk's report was reviewed and filed.

The Commissioners report was reviewed.

Koehler made the motion, seconded by Oswald, to adopt Resolution #2011-5 regarding the Resolution to Preserve the Towner Line, to wit:

BOARD OF COUNTY COMMISSIONERS
OF KIOWA COUNTY, COLORADO
RESOLUTION TO PRESERVE
THE TOWNER LINE
RESOLUTION # 2011-5

Whereas the Towner Line was purchased from the Colorado Department of Transportation by the V & S Railroad and is now fully owned by V & S Railroad as of Dec 2011; and

Whereas the V & S Railroad, as of Dec 2011, have declared their intention to abandon the Towner Line and sell the rails to other railroads or for scrap metal; and

Whereas the Colorado Department of Transportation maintains, by contract, the right of first refusal in the event the Towner Line is scheduled for abandonment and dismantling, thus giving them the right to repurchase the Towner Line from V & S Railroad for purpose of maintaining a viable freight rail over the Towner Line; and

Whereas then 61st General Assembly of the State of Colorado declared:
"Abandonment of the Towner Line and removal of the railroad tracks from that line would result in the permanent loss of that line. The loss of the Towner Line would severely impair the access of the southern portion of Colorado to commercial rail transportation. The permanent loss of the Towner Line would damage the economy and harm the citizens of Colorado, as well as jeopardize the continued viability and physical condition of other transportation infrastructure of the State. It is beneficial to the citizens of Colorado that the Towner line be preserved"; and

Whereas railroads have a fuel efficiency of at least ten times that of trucks; railroads are more environmentally friendly than other modes of transport in reducing nitrogen oxides and particulates by at least three (3) times; a single intermodal train may alleviate highway congestion by replacing from 280 to 500 trucks and railroads offer a major safety advantage in transport of hazardous material by having at least sixteen (16) times less hazmat releases than trucks, and

Whereas the loss of this line would, in all practical purpose, eliminate the potential for lucrative emerging crop enterprises in SE Colorado of Dehulled Proso Millet and White Corn, and

Whereas the loss of the Towner Line has drastically damaged the economy of Kiowa County in loss of \$6,361,800.00 tax revenue in the twelve (12) year period of inactivity plus the added cost of grain marketing from lack of rail transport for area crop producers, and

Whereas the Federal Congressional Budget Office study on "Freight Rail Transportation Long Term Issues" shows that closing the Towner Line would be diametrically opposed to the needs founded by that study, now

Therefore be it resolved:

1. The Kiowa County Commissioners are adamantly opposed to the abandonment or scrapping of the Towner Line; and be it further resolved that
2. The Kiowa County Commissioners officially request the Colorado Department of Transportation to immediately exercise their right of first refusal and re acquire the Towner line from V & S Railroad via the sale proceeds of the line from V & S plus whatever additional appropriation or transfer of funds that would be necessary to complete the transaction; and be it further resolved that
3. The Kiowa County Commissioners favor actions to include possible studies to determine the substance of making the Towner Line fully operational once again, similar to what occurred in the 1990 decade; and be it further resolved that

4. The Kiowa County commissioners will appreciate support of this resolution by County entities as well as neighboring Counties and the entities therein.

Resolution adopted by the Board of County Commissioners

Date

Richard Scott, Chairman of BOCC

Donald Oswald, Commissioner

William Koehler, Commissioner

Attest:

Debra Lening, Kiowa County Clerk

All Commissioners voted affirmative.

Vacation request forms were signed.

Oil and Gas "fracking" reports from Channel 9News were reviewed and discussed.

The Colorado Department of Transportation HUTF Annual Survey for road miles was reviewed. There were no changes. Oswald made the motion, seconded by Koehler, to sign the CDOT HUTF Annual Survey. All Commissioners voted affirmative.

Oswald made the motion, seconded by Koehler, to approve and sign the Resolution of Participation for the Lower Arkansas Valley Area Agency on Aging (LAVAA) for 2012. All Commissioners voted affirmative.

Oswald made the motion, seconded by Koehler, to sign the change order request for Empire Carpentry dated December 12, 2011 regarding the Murdock Building Project. All Commissioners voted affirmative.

There was discussion regarding a policy on a line item budget. Koehler made the motion, seconded by Oswald, to adopt the line item budget policy starting in 2012. All Commissioners voted affirmative.

Keith Siemsen with Southeast Environmental Health met with the Commissioners to present the Intergovernmental Agreement for Environmental Health Services. Services and fees for Environmental Health will remain the same for 2012. Oswald made the motion, seconded by Koehler, to sign the IGA with Prowers County Public Health Environmental Health for 2012. All Commissioners voted affirmative.

The January Regular Meetings will be January 10th and 26th, 2012. The next Regular Meeting will be December 29th.

With no further business, Oswald made the motion, seconded by Scott, to adjourn at 3:30 p.m. All Commissioners voted affirmative.