

OFFICIAL MINUTES FOR APRIL 27, 2012

The Regular Meeting of the Kiowa county Commissioners was called to order by Chairman Richard Scott on April 27, 2012. Donald Oswald opened the meeting with prayer and the Pledge of Allegiance. Those attending were:

Richard Scott, Chairman of BOCC
William Koehler, Commissioner
Donald Oswald, Commissioner
Peggy Dunlap, Administrator

Mike Crain came to talk to the Commissioners about sending out a letter to the supervisors with all the Oil & Gas Companies to utilize the trash cans, cigarette holders, picking up trash in bathrooms, etc. A sign will be put up on the doors and then a letter will be handed to the supervisors of each company so that everyone is aware of issues.

The agenda was presented and Richard Scott asked that it be approved as presented. William Koehler made a motion, seconded by Oswald to approve the agenda. All Commissioners voted affirmative.

Minutes from the Regular meeting April 12th and the Special meeting on April 20th were discussed. Oswald made a suggestion that Darrell Stolzenberger name be changed with spelling. Changes were made as suggested. Oswald made a motion, seconded by Koehler to approve the minutes as presented. All Commissioners voted affirmative.

First on the agenda was discussion about the Road and Bridge vehicles. A report was given by Oswald that both vehicles that were down are back up and running. Also, a replacement schedule needs to be made so that we can start to budget for next year and the years after that. Foreman will need to make a list from R&B with mileage on vehicles (pickups and graders, etc) in their district. Administrator Dunlap will ask them to get a list together when they meet again before the next meeting.

Jan Richards, from KCEDF, came to discuss the annexation of the property (Prairie Pines and the Senior Citizens lot) and present a document from the attorney. Scott told her that at the last meeting, the Commissioners voted to not annex with the City and she was not told that. Minutes of the last meetings were just approved and have not gone into the paper yet. There is an issue with Prairie Pines now since the debt settlement and the assumption paperwork is yet to be completed. Jan will hold off on this for now as they can take it to the next City meeting. The Commissioners will be in contact with her once the paperwork is completed on Prairie Pines.

On May 3, 2012, there will be a meeting here at the Courthouse at 1:00 pm with Mike Leonard concerning Oil & Gas about Emergency Management and safety at drilling jobsites.

The Colorado Department of Human Services audit report was discussed. Dennis Pearson brought over a folder for each Commissioner to read with his rebuttals to get to the final report. Scott mentioned that the Folder is a little hard to understand as they use acronyms that he is not familiar with. The report was not favorable for Daycare by any means. There were several areas that were done wrong for some time. According to the audit report, Little Sprouts salaries and benefits are not an allowable expenditure as Little Sprouts staff does not perform any regular admin functions for KCDSS. The report says that these expenses must be covered by County only funds, or some other appropriate non-State /Federal funding source. From the final report and what we already know, there is not much chance for Daycare. KCEDF was mentioned in the Final Audit Report as well with stipulations of what to do with timecards associated with DSS. Oswald asked the other Commissioners how much time would be given to the patrons of Daycare and through the discussion May 18th was chosen. The Commissioners then discussed both programs and discussion was made that the County is not in a position to take this debt on, so a motion was made by Oswald, seconded by Koehler, that all Non-mandated Programs with DSS will terminate May 18, 2012 which includes Daycare and KCEDF. All Commissioners voted affirmative. Scott asked that letters be sent to the Director, Carole Spady, Daycare employees, Jan Richards, and Mike Lening, Chairman of KCEDF. DSS fiscal year ends June 30, 2012 so all money that will need to be paid back will result in the County not receiving monies monthly until the overage is paid back. A lot of the shortfall from DSS came from Daycare. The Commissioners will ask Dennis Pearson to come in later in the day to discuss the specifics.

The Commissioners will discuss with Penny at the next meeting regarding what she is finding out with raising mineral lease taxes. She was to have sent out questionnaires but still haven't heard if she has received any back.

Donald gave a report that Crowley County has a policy that no one can disc ground without prior approval from their Commissioners. Someone on the west end of Kiowa County disc ground that went into Crowley County and a complaint was made. It was resolved but the Crowley Commissioners wanted all parties to know of the ruling.

Koehler gave a report from Wendy Shinn about the assumption paperwork. The County Attorney will be setting up the paperwork as well as the County auditor so that we can meet requirements for USDA and Colorado East Bank & Trust. The bylaws for Kiowa County Building Corporation and also Prairie Pines need to be changed as soon as possible.

Oswald gave a report on SEBREA. He said they are still working on the Bottoms Up Plan with the Governor. As for SAGE, they are now operating in the black which is a good thing. Kiowa County is doing a great job of

supporting the meals and the Commissioners would like to commend them on that. They are one of the top Counties contributing per person. This support needs to continue in order for this program to succeed. Koehler gave a report on SECED. \$10 million dollars will be spent on Highway 96 around Haswell. A thin resurface and major re-widening will be done on about 10 miles. The FASTER money is given for certain things only. Resurfacing is not something they will do with those funds, but widening the shoulders is something they will do for the bicyclers. This has come about due to the Bicycling that is done through our area and they are partnered up with Prairie Horizons. Scott said that he thinks it would be good for our Economic Development groups to petition all the groups to see if they can help get funds to resurface Highway 96.

Oswald made a comment regarding the Terrace Builder that the State Highway borrowed a few years ago and hasn't been returned. Where is it at now? It was borrowed out of the Lamar office and one of the Commissioners will be making a call soon.

The Veterans report was presented and signed.

The Monthly Sheriff's report was presented and reviewed.

The Commissioners reports were reviewed and discussed. It looks like everyone is doing good on their budgets.

The TV Tower report is that we are still waiting for the climber to schedule a time to come out. It was scheduled this last week and had to put it off due to the weather.

There were 3 time off requests signed and given to Krissy for payroll purposes.

Oswald made a motion that we sign the AWOP Wildfire Plan for 2012, seconded by Koehler. All Commissioners voted affirmative.

Koehler brought up the fact the John Kreutzer Road has been maintained by him. It goes up to his house and he doesn't want any drilling rigs using it. He is asking that the Commissioners declare the road a private access. It is about a mile long road. It will make a difference on HUTF funds. A motion was made by Koehler that the County Rd 22 from Highway 96 south to Rd P, would be private access. Oswald seconded it. All Commissioners voted affirmative.

Insurance for Prairie Pines has gone back to Arthur Gallagher. Once the assumption is done, maybe they can look into it again. The policy that was presented was still in question and until those questions are answered, it will stay with Gallagher. A gas meter on the pool would be a help if it was ever rented out to a different entity. They will all be looked into.

The lease on Crow Luther Building/City needs to be redone. The last time the lease was updated was 2007. Dawna Peck from the Town of Eads says that she believes it should be renewed. Sharon Frazee called and asked if their painters would be covered under our policy, would they be covered? Administrator Dunlap contacted CTSI and they informed her that whoever is doing the work, needs to provide a Certificate of Insurance. No contractors are covered under our Liability insurance. The valuation of the Theatre is only about \$14,000 and it has never been increased. An annual review needs to be done. The Commissioners would like a new lease typed up for the Town of Eads/Crow Luther.

Chairman Scott brought up the letter that needs to be sent to the Governor, Legislators, and Joint Chief of Staff about giving the money that the State got back from the sale of the V&S Railroad back to the Counties that were affected. This County lost tax revenue both past and future with the sale of that line and we feel it needs to come back to Kiowa County. The Commissioners believe that money needs to come right back here. They are asking for anyone else in the County to write a letter of support on their own and send as well.

Sheriff Frazee and Chris Sorensen attended our meeting for a few minutes to inform the Commissioners about what is going on in the county due to the storm. A press conference will be held at 3:00 pm south of the Fire station. Chris is trying to keep the media away as much as possible to give those residents time to gather their stuff up. He wants to talk about the weather radios and their importance in getting the word out in times of need. They would like at least 1 Commissioner to stand in support of all emergency personnel with the Tornado Disaster. Sheriff Frazee said that the response effort last night was magnificent. All responders were doing a great job. It was absolutely amazing according to Chris Sorensen and the State EODC was in on it.

Dale Butler and Shane Lessenden came in to talk to the Commissioners regarding the Horse Races that are being done a couple times a month. Dale said that entry fees are being charged for each horse and most of the money is going back to the winners. There was a \$10 entry fee at the gate charged to get into the races which paid for the rent fee. There was no alcohol put on the flyers. There is no Calcutta (bidding or betting) going on in an organized fashion but there is some betting being done between horse owners. There was no fighting and Dale thought it ran very smooth. After much discussion, the Commissioners have decided that the races can continue. Dale Butler will make the phone call to the Gaming Commission to see if anything needs to be done and he will get back with us.

The meeting was recessed for the Press Conference at 2:55 pm.

The meeting resumed at 3:20 pm.

Denise Riley was asked to come to the meeting at 3:00 pm to discuss financial matters. Oswald made a motion to go into executive session to consider personnel matters and budget matters pursuant to and as permitted by CRS 24-6-402 (4)(f)(l) and William Koehler seconded it. All Commissioners voted affirmative.

Executive session was convened at 3:25 p.m.

The meeting was returned to regular session at 4:00 p.m.

Oswald made a motion, seconded by Koehler, that the position of Assistant Director at Prairie Pines which is held by Crystal Mozisek be terminated immediately for budgeting concerns. All Commissioners voted affirmative.

Riley spoke to the Commissioners about getting more people into Prairie Pines. Word of mouth advertising is the best form but we have to be out into the communities to get the word out. Denise spoke with some people in the Kit Carson area and maybe there will be some interested individuals that come in to look at the facility soon.

Dennis Pearson entered the meeting at 4:20 p.m. The Commissioners let him know of the decision that as of May 18, 2012 all non mandated programs through DSS will cease. We will close the daycare and KCEDF employee will need to be restructured as well. The other thing is how we will let the employees know. A letter needs to be drafted by Dennis Pearson with the help of Administrator Dunlap that will go to the parents of the children at daycare. There is no need to get too detailed in the letter except that the financial numbers need to be in there. Administrator Dunlap feels that the employees need to be called tonight as they have done everything we have asked them to do and they do not deserve to hear about this off the street. Pearson will make the call to each of them this evening. A letter will be drafted on Monday by Pearson and Dunlap to hand out to parents. Corrective actions will be done by Pearson's office as far as the audit goes and the Commissioners do not have to respond at this time. We will need to figure out where the payments will be mailed once the center is closed. Payments will still need to be sent to DSS office as all of this is still going through DSS and the bookkeeping system. There will also be a County Audit the 23, 24, and 25th of May and questions will be asked of daycare. The State will need to be contacted with past employees and get them out of the registry. Pearson said that something will need to happen to the belongings in the daycare once this is all done. They inventory belong to the County not the State. We can discuss that later on as it would be nice if a private business would be set up in there to continue daycare. Pearson also wants to get a letter into the paper letting them know that there are legalities with operating a home daycare and licensing will be all over this community now. Contact will be made to the State office regarding this Final audit and questions will be asked and answered.

Jeanne Sorensen entered the meeting about 4:30 pm. Jeanne asked Dennis Pearson if she refurbished some computers, could she take them to the Salvation Army? He says there isn't much market for them, but if we could advertise that it has been tested that might work better. The place that we were taking computers to is now going to charge a fee and then they will refurbish and sell to someone else. She feels we might as well do that for our own residents instead of someone else making money on them.

Pearson said that Charlotte Phillips will be back next week and that will be a big help. There is a request for a few more hours (40) on the next pay period so that she will get a full check. She will need to make a request for any additional hours. It is acceptable to ask for more hours either in person or by email.

Jeanne asked the Commissioners if they could send a letter to Lee Merkel with DOLA about having her website put on their site (DOLA) as an official website as well as the other one that is there now. Oswald made the motion, seconded by Koehler, that we allow Jeanne's website to be a co-official site for DOLA and other State websites. All Commissioners voted affirmative. Jeanne will send the email with the contacts and addresses and contact will be made for this change.

With no further business, a motion was made by Oswald, seconded by Koehler, to adjourn the meeting at 4:45 p.m. All Commissioners voted affirmative.