

UNOFFICIAL MINUTES FOR AUGUST 30, 2012

The Regular Meeting of the Kiowa County Commissioners was called to order at 9:00 a.m. by Chairman Richard Scott on August 30, 2012. 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

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

Jeanne Sorensen entered the meeting at 9:15 a.m. as a visitor.

Road & Bridge Foreman Rick Spady met with the Commissioners regarding purchasing a semi-tractor. He submitted three proposals for review. Oswald made the motion, seconded by Koehler, to purchase a 2007 Mack Tractor at \$45,600 from Bruckner's Truck Sales in Denver, Colorado. All Commissioners voted affirmative.

Minutes from the August 14, 2012 Regular Meeting and August 21, 2012 Special Meeting were presented. Koehler made a motion, seconded by Oswald, to approve the minutes as presented. All Commissioners voted affirmative.

The agenda was reviewed. An item was added to new business. Oswald made the motion, seconded by Koehler, to approve the agenda with the addition. All Commissioners voted affirmative.

Ronny Farmer's Letter of Engagement for Kiowa County 2012 Audit was reviewed. Oswald made the motion, seconded by Koehler, to accept and sign the rfarmer llc Letter of Engagement with Ronny R. Farmer. All Commissioners voted affirmative.

Oswald made the motion, seconded by Koehler, to sign the Agreement with National Institute of Standards and Testing for the TV grant. All Commissioners voted affirmative.

A letter was received from the National Guard Bureau for a fly zone for military operations in Eastern Colorado with a map included. The Commissioners have no objections with this plan.

The Westphal lease from Minerals signed in June was corrected and needs new signatures. Koehler made the motion, seconded by Oswald, to sign the Correction Lease with Westphal for correction of acreage. All Commissioners voted affirmative.

The Sheridan Lake Water Company was discussed. A public hearing date needs to be set.

Public Health Director Jackie Brown and Jo Lynn Idler met with the Commissioners to discuss Public Health coverage and changes. The Prowers County Commissioners appointed the Prowers County Administrator as the interim for this position. Jo Lynn Idler is the operations manager and will be the person that will continue to work with Shelly Myers, the nurses, and other staff to continue the agreement contract. Idler will also work with Keith Siemsen with Southeast Environmental Health on the Colorado Health Assessment and Planning System (CHAPS) project, of which another \$1,000 was recently received by the County. So far, the County has received \$2,000 of the \$5,000 they are going to pay on a quarterly basis. But that's required by law that we complete the CHAPS process. Idler and Siemsen will be the County's point of contact for this process. Brown stated that her BOCC has received numerous excellent applications for her position. Whoever is appointed to this position will meet with the Commissioners and they can decide at that time if they want to continue with this arrangement or if they want to do something different. She stated that the State will push for regionalization and will be supportive of this arrangement. The agreement is between the two counties, not between Kiowa County and Jackie Brown, so business will continue as contracted. Birth and death certificates issues were discussed. The State needs to come down to train Shelly Myers more fully to help her be more confident in processing the certificates to be able to service the County. Idler assured the Commissioners that she would be instrumental in seeing that Shelly Myers gets the needed training from the State. Flu vaccination clinics were discussed. Services will not be interrupted in any way with this transition.

Brad Pearse and Janice Shadwick with ADP met with the Commissioners to present their payroll and human resources services. They help streamline the process. They stated that their services are very economical and want the County to be aware that they are available if needed.

The Commissioners met with KCEDF members regarding liability insurance issues and the letter KCEDF received from Commissioner Dick Scott. Members in attendance were: Mike Lening (spokesperson), Jan Richards, Sharon Frazee, John Courkamp, and Sean Lening. Liability insurance was discussed. The KCEDF land is insured for liability but buildings are not, so the barn is not covered at this time. Mike Lening asked if the Commissioners were going to continue to pay the insurance and add the barn or if they wanted KCEDF to take care of. Scott said they had no problem with paying for the wetland area but there was questions regarding coverage on the farm ground. Scott said the issue is not the liability insurance that the County has been covering; it's the contribution that the County has been giving KCEDF that is in question. The lease is the process of being changed but regardless of the amount that is shown on the lease, the liability insurance will still be included. Koehler stated that there is an area in the lease agreement where "lessee" and "lessor"

needs to be changed. Lening agreed and asked if the Commissioners wanted to correct the lease or if they would prefer that KCEDF correct it. Dunlap stated that Rod Johnson said he was going to change it. The original is at the attorney's office and Dunlap has a "Read only" version. Richards said if the attorney will send her a copy, she can get it changed and get it signed. Lening said, "Just so I'm clear on this, if we make those changes on the lease, and again, as far as the liability, including the building, you guys are okay with that? You'll pay that or is that still something that needs to be discussed?" Oswald stated that the value of the building needs to be defined and then, once that is agreed upon, he sees no problem with paying the liability insurance. Jan Richards will find out what the barn is now worth. Oswald stated that the County will cover the liability insurance on the barn until the end of this year and probably next year.

The money budgeted for KCEDF was \$15,000. Scott stated that since they've learned that KCEDF doesn't need the money, Scott would recommend that the County use half of it for the Prairie Pines Assisted Living (PPAL) shortfall. Mike Lening said, "Can we stop before we go any further? I think we've got some problems here. We've got a communication problem. When was it ever said in our meetings that the Board no longer wanted your input or any funding from the County?" Commissioner Scott replied, "The information I'm taking was from Rod Johnson's presentation in the Kiowa County Press and at the meeting downstairs. He said KCEDF can succeed with or without the Commissioners' input." Lening responded that the comments made by Rod Johnson were his own opinion, as was stated in the minutes, and what was said was taken wrong by the Commissioners. He stated again that there was a lack of communication that was not healthy for KCEDF or the County. Scott replied that it may not be, but if, indeed, KCEDF can function without the input from the Commissioners and without that money that the County is putting in, wouldn't it be better to use those funds some other places? Giving the \$15,000 to the Murdock Building project was discussed. Lening responded that if this were actually the case, it would make sense to use the money elsewhere, but that was not the case and this should have been discussed with the KCEDF Board before this letter was written. Lening stated that he didn't think there was a time in any of their meetings when they had ever said anything resembling this. He stated that KCEDF is NOT in the position to function on its own at this time. Oswald stated this is all just discussion items and nothing has been decided. Lening stated that KCEDF and the Commissioners are supposed to be in this together and working together and not working against each other. Oswald said there was discussion that the fixed funding might change but not necessarily go away. He said all departments will be asked to come in and discuss budgets for 2013, which would include KCEDF to keep communications going. Lening stated that, in his opinion, he doesn't think the KCEDF Board as a whole wants to move forward without input from the Commissioners and that both entities need to work together.

There was discussion regarding the DSS funds and how those funds are expended and how it ultimately affects Jan's position. Scott said he is still in favor of NOT having any non mandated programs going through DSS. He said this is not a problem that he has dreamed up. A DSS auditor said Kiowa County is no different than any other County in the State with DSS shortfalls. Oswald said TANF funds could help with Jan's salary without going through DSS but it is very difficult to understand. DSS auditors have STILL not communicated with the Commissioners as to how Jan's salary can continue being covered under DSS funding. TANF funds are federal funds given to the State which are given to the counties and if it's not used, it has to be given back and the State doesn't want that to happen so it has to be used elsewhere. If the State says it is okay for the funds to be used for Jan's salary, they'll do it, but until that is made clear, they can not afford to do it that way. But the DSS auditors did not indicate that it could be done this way. Lening asked if the other members present could speak, to which the Commissioners said yes.

Jan Richards said, "I would like to say one thing. Bill alluded to the fact that the day after the meeting where he got on me about being a realtor, that the next day I did something about leasing out the Grower's building, I want it on record that I never had anything to do with them going with the Grower's building at all and that never came through my office. That was totally a separate conversation and a separate contact. It did not come through my office."

John Courkamp said, "As far as I go, I just want it understood that I'm on this Board to try to help the community and County and whatever it takes. I would like to break the walls so we're all working in the same direction. Guys, I want you to know that I care what happens for my business and my kids. I brought my kids back here to take over the business, so I really do care what happens. I want things to grow, and meaning that, we've grown a business. We've put a lot of money back in the business these last few years so I do have my heart here. So I guess that's the only comment I would like to make."

Sean Lening said, "I guess I'll make a comment, too, and not just pointed at the Commissioners but both sides. I'm very new to this Board, but I think there are a lot of past issues that everybody harbors hard feelings for, and I'd ask everybody to let bygones be bygones. Let whatever happened in the past go and let's try to move forward together. And, Bill, where you haven't been coming, there are new Board members such as myself and I would encourage you to give it a shot, come and see how it goes, and I would hate to lose another Commissioner from coming because of something like a letter written by Rod, because if we based a letter on facts, how many letters have we seen from both ends of this County pointed at the Commissioners about every other month. If I took my opinions of you guys based on those letters, I would think you guys were pretty sorry guys. You know what I mean? So would just encourage everybody, why don't we really try to put all this in the past and start working together on this thing."

Scott asked about overtime on Jan's voucher for her salary. She stated that these are her hours for the month, punching a time clock, and that's what her hours were for a five week period. The Commissioners said they just needed it cleared up and that's what they needed to know to approve the voucher. It was flagged in payroll but Richards is not longer $\frac{3}{4}$ time.

Scott stated that his letter will be discussed with the other two Commissioners and a decision will probably be made today and the KCEDF Board's discussion will be taken into consideration.

The Sheridan Lake Water Company was further discussed. Oswald made the motion, seconded by Scott, to move forward with the public hearing for September 27th at 10:00 a.m. All Commissioners voted affirmative. Notice will be published in the paper next week.

KCEDF was further discussed. Scott made the motion, seconded by Koehler, to give half of the \$15,000 allocated to KCEDF, or \$7,500, to KCEDF and use the other half, or \$7,500, to offset PPAL shortfalls. Oswald stated that he feels it would be better to take the PPAL funds out of General Fund instead of KCEDF Funds. Scott said KCEDF was a strong proponent of putting PPAL together and that they have some economic responsibility for that. Koehler and Scott voted aye; Oswald voted nay. Motion carried.

The Commissioners continued discussing KCEDF issues. The lease was discussed. If the contribution is not going to be the same, the lease needs to be changed. Scott stated he is still leaning toward giving the \$15,000 to the Murdock Building project next year. Koehler didn't feel any money amount could be discussed until they work on the budget. The lease could be continued for purposes of liability insurance coverage, whatever that cost would be. Koehler feels an actual amount should be set for the lease purposes, but does not have to be attached to a contribution amount. Koehler made the motion, seconded by Oswald, to enter into a lease with KCEDF at \$25.00 per year for September 1, 2012 to August 31, 2013. All Commissioners voted affirmative. This does NOT preclude or prevent additional contributions from the Commissioners to KCEDF. Any annual contribution will be determined during budget processing.

Regarding DSS paying the KCEDF director's salary, this is still in affect until the first of the year. Scott made the motion, seconded by Oswald, to go ahead and exclude any non-mandated programs from DSS after the first of the year as previously discussed. All Commissioners voted affirmative.

For the record, Commissioner Scott recognizes that Economic Development is correct in that he has driven a wedge between the two entities and that both entities need to work together. Scott still maintains if KCEDF can be on their own and is able to work independently the County funds need to be used elsewhere at that time.

The Murdock Project reports were reviewed regarding the deliverables from the archeologist. It is still critical that the County obtain the funds from National Parks Service to keep this project alive.

Oswald made the motion, seconded by Koehler, to recess the Regular Meeting at 2:00 p.m. for the Board of Equalization. All Commissioners voted affirmative. Assessor Penny Weirich stated that she had received no complaints or questions. With no public in attendance, Koehler made the motion, seconded by Oswald, to close the Board of Equalization. All Commissioners voted affirmative. The Regular Meeting resumed at 2:05 p.m.

PPAL issues were discussed. This will be further discussed at the PPAL Board meeting.

Road & Bridge issues were discussed. There was discussion regarding Highway 96 improvements adding 4' shoulders to accommodate bicyclists. This might help get the highway repaved. Commissioner Scott will send a letter to CDOT supporting this improvement. Storm damages in District 3 and overtime were discussed.

Road & Bridge crews are working hard to get the Fair Grounds ready for the Fair.

There was discussion regarding the Clerk's staff. No changes will be made at this time.

Amanda Brown will assist with the 2013 Budget. She should be finalizing the 2011 Audit very soon.

CSBG (Community Service Block Grant) report was discussed.

The Veterans report was reviewed.

The Sheriff's report for May was signed and filed.

There were reports given regarding SAGE, SEBREA, and SECED. Workforce has not met so there was no report.

Time-off request forms were discussed. Oswald made the motion, seconded by Koehler, to approve time-off reports. All Commissioners voted affirmative.

The Westphal Oil and Gas Lease was discussed regarding 8.931 net acres. Koehler made the motion, seconded by Oswald, to sign the Oil and Gas Lease on the prescribed acreage. All Commissioners voted affirmative.

The HUTF report was reviewed.

There will be a meeting September 6th regarding the Courthouse Security Grant at 8:30 a.m.

Oswald made the motion, seconded by Koehler, to sign CORE Services program 3rd of a 3 Year Plan for 2013. All Commissioners voted affirmative.

A letter to Summit County Commissioner Thomas Davidson regarding an increase in elected officials' salaries was discussed. The Commissioners feel that County employees should be able to receive a raise before elected officials receive an increase.

The next Regular Meeting is September 14, 2012.

With no further business, a motion was made by Oswald, seconded by Koehler, to adjourn the meeting at 3:10 p.m. All Commissioners voted affirmative.