

UNOFFICIAL MINUTES FOR JUNE 28, 2012

The Regular Meeting of the Kiowa County Commissioners was called to order at 9:00 a.m. by Chairman Richard Scott on June 28, 2012. Oswald 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 at 9:00 a.m. as a visitor.

Public Health Director Jackie Brown presented the annual contracts for 2012 Emergency Preparedness & Response with Colorado Department of Public Health and Environment (EPR-CDPHE) for signing. Oswald made the motion, seconded by Koehler, to sign and approve the 2012-2013 Task Order Contract Waiver #154 for EPR-CDPHE in the amount of \$88,528.00. All Commissioners voted affirmative. The agreement with Kris Stokke was discussed. The grant amount was increased and Stokke will be receiving \$6,059 monthly. Oswald made the motion, seconded by Koehler, to sign the Southeast Regional Public Health Planner Independent Contractor Agreement for \$66,650 for 11 months. All Commissioners voted affirmative. The County receives 10% of this grant for management of the contract, or \$6,665.

The Regular Meeting was recessed to go into the Board of Health Meeting at 9:30 a.m.

The Board of Health Meeting ended at 10:00. The Public Hearing for SECED for the Division of Housing with Dan Tate started immediately. There was no public present for the hearing.

Tate stated that what they are doing is applying to the State for some administrative funds to operate the SECED program. They have a loan portfolio of 1.7 in service right now. All the earnings off of this portfolio go back to the State, so they have to approach the State for any operating money and administrative concerns. Tate stated that they are asking for \$93,286 for a year to operate that. The income on that program last year was approximately \$131,000, so if the State appropriates the \$93,286 and if we perform like we did last year then there will be a net gain to the revolved balance. This is to service low to moderate income individuals; that is the requirement. That is determined by the number of people in the household and the income in the household. Tate stated they currently have 6 loans in Kiowa County. The current balance on those loans is \$130,585. One of the loans is a 20 year deferral, which means they don't have to pay anything on the loan for 20 years, at which time the principle and interest will be due. The individual just doesn't have the means for repayment so the State allows those loans to be deferred. There are three or four on the books where one is a 5 year deferral. The borrower indicated that he would be able to start making payments in five years so the loan was set up accordingly. They structure to try to accommodate the borrower and not put an undue burden on them.

One property in Kiowa County in another program was discussed. It sold and some has been recovered from it, but not all. Tate stated that some was better than none. Other businesses were discussed.

Tate stated that the Colorado Department of Local Affairs, Division of Housing Application is due by July 2nd. Oswald made the motion, seconded by Koehler, to sign the Colorado Department of Local Affairs, Division of Housing Application for Loan/Grant Assistance. All Commissioners voted affirmative.

The Public Hearing ended at 10:30 a.m. and the Regular Meeting resumed.

Minutes from the June 14, 2012 Regular Meeting was presented. Koehler made a motion, seconded by Oswald, to approve the minutes as presented. All Commissioners voted affirmative.

The vouchers were reviewed. Two vouchers were questioned, Vouchers were approved and signed.

The agenda was presented. Oswald made the motion, seconded by Koehler, to approve the agenda as presented. All Commissioners voted affirmative.

There was discussion regarding door prizes for the County Picnic. Eads Bucks were given out last year to encourage attendance. The Commissioners thought that door prizes were a good idea. Koehler made the motion, seconded by Oswald, to spend \$200 for door prizes for the County Picnic. All Commissioners voted affirmative.

The Community Service Block Grant (CSBG) for the transit van was presented. Oswald made the motion, seconded by Koehler, to sign all CSBG documents. All Commissioners voted affirmative. Surveys will be mailed to people that ride the transit van. The Commissioners stated it was very important that these surveys be filled out and returned to be sent in with this grant! This all needs to be completed by August 1st.

The Ports to Plains letter of support was discussed. Koehler stated if the road goes through, Eads will be isolated, as will Kit Carson and Lamar. Oswald made the motion, seconded by Scott, to not sign the Letter of

Recommendation for the Ports to Plains Alliance Regarding the House-Senate Conference on H.R. 4348 support, as this will not benefit Kiowa County at all. All Commissioners voted affirmative.

The Commissioners asked Assessor Penny Weirich to come in and report on the valuation/mil levy 2013 estimates. Weirich reported that the valuation is setting at \$37,000,000 right now but \$41-\$42 million is projected. The Commissioners were wondering what the tax assessment is on the railroad. Weirich said she would have to get back with them on that.

The Commissioners would like for the hospital to continue to look over the financials for Prairie Pines Assisted Living to see if they are interested or not in taking over the management of PPAL.

Emergency Management Supervisor Jeff Wright met with the Commissioners regarding the Waldo Canyon fire. The State sent a request for Wright to assist in Colorado Springs with fire disaster. Commissioner Scott asked if the County pays the cost of his going to assist or if the State will cover the costs incurred. Wright said he wasn't clear on who pays for what at this point. He said in talking with Southeast Regional Field Manager Riley Frazee with the Colorado Division of Emergency Management, the County picks up the bill for everything and the State reimburses the County.

Field Manager Riley Frazee called the Commissioners to answer some of their questions regarding reimbursement for Wright's time. He stated that the County would pay Wright's time and then the State would reimburse 100%. He stated that he assumed Wright was an exempt employee so there would be no overtime. He also stated that the State can reimburse travel or pay receipts for fuel. Oswald stated that Wright is not an exempt employee. Oswald asked if the County standard day is 8 hours, so if he works a 10 hour day or anything over 40 hours becomes overtime, is the State going to reimburse at time and a half? Riley stated yes, that the State would pay the overtime also. Riley stated that the State also does a per diem for meals, so if Wright uses his credit card for meals, he can submit the receipts and the State will reimburse the County for those meals. Or, using a per diem, Wright would buy his meals out of his pocket and the State would pay him direct \$56.00 or whatever the daily per diem is and he wouldn't need any receipts. The County would not be involved in the expense for meals, in this case. The State will take care of all lodging. Riley stated that he appreciated the opportunity for Wright to be allowed to participate and get some experience in large complex incidents. He stated that this will help Kiowa County when he comes back and Kiowa County has some disaster like the tornadoes. Scott stated that knowing about the reimbursement helps as they've already approved him to go. Riley stated that this isn't how this always works, that sometimes they do mutual aid and each County pays their own while assisting another County. In this case, there was a disaster declaration and the Governor set money aside to reimburse these expenses back. They thanked Riley for his explanation. Oswald told Wright that from the County side, they do require receipts for everything. Wright said he understood that. Oswald also stated the County policy has a zero tolerance for alcohol and tobacco and will not pay for any of these expenses. Wright stated he also understood this policy.

Wright reminded the Commissioners about the Oil and Gas training July 21st. He stated they were going to try to get as many people in Southeast Colorado out for that training as possible. They also discussed tornado sirens and where the best placement would be. Generators have been acquired by the Sheriff's office specifically for tornado sirens. Chandler Kent from Kit Carson is putting together a bid to hook up these generators to the poles and the sirens. A weekly test will be done on the generators once they are installed, making sure they are full of fuel. That way, the next time we have tornado activity and the power goes out, with the generators in place and working properly, this will be a huge benefit. The sirens will be able to be set off remotely, but the generators will have to be manually started. Koehler stated that one of the generators is wired to that it is capable of starting on its own. Wright stated he was not aware of that.

Communication between the two offices was discussed at length. Wright stated he would try to communicate better with the Commissioner's office for the sake of the public. He also stated that he's always available on his cell phone if anyone needs to reach him. The Commissioners wished him well as he heads up to Waldo Canyon.

The Oil and Gas permit was discussed again. The permit is being put together. Scott mentioned water well testing, but he feels this should be incorporated in the State Oil and Gas permit. Oswald suggested that the wording for both permits be, "Test all water wells within a half mile radius of the drill site to Colorado Oil and Gas Commission standards and/or Colorado Oil and Gas Association standards." Scott stated that you still have to know who's going to do this and what kind of test they are going to do. He said he believes they will test two wells within a certain distance from the drill site, which out here in our area should suffice. He also stated that this doesn't prevent the land owners from testing their own wells. Koehler stated that this would be between the individual land owner and the drilling company, not the County. There was continued discussion on whether to charge a fee or not. Koehler stated that the County's only involvement is regarding County roads, and they discussed requiring a refundable bond for road and/or cattle guard damage. He stated that if the County charges a fee, some company say forget it and may move on in lieu of paying the fee and some landowner would lose out. The Commissioners feel that some counties are charging high fees in order to make it detrimental to exploration. The main point being made in this discussion was that the Commissioners do not want to hinder progress.

There was some discussion regarding County Rd 27. The company wanting to extend that road stated that they are postponing any activity at this time and will resume discussions after the first of the year. Clerk Lening asked the Commissioners, "When does the \$300 in/\$100 out on the heavy vehicle permit become a bond issue instead? Since I'm the one that has to deal with these people on this issue, I need to know what the criteria are." The Commissioners said they would have to think about that.

Administrator Dunlap also reported that Road foreman Rick Spady called in to tell the Commissioners that a road grader at Haswell had a window shot out of it, but after careful investigating, had discovered that the lights were also broken out and the grader had been shot in several places. The Sheriff will go take pictures and investigate.

There was continued discussion regarding permits and fees upon returning from lunch. The Commissioners stated that road responsibility could be added to the permit that goes through the Oil and Gas Commission. This would eliminate the heavy vehicle permit for these drilling companies and also the companies that service these wells. This permit would continue to be used only for those moving through the County using County roads because of some type of restriction to the highways being used and would not involve the oil companies moving to and from their drilling site. Koehler felt that they should define how much per mile to make sure the County roads are covered. There was discussion regarding how the Assessor is notified of drilling and oil production. Assessor Weirich was called in to the discussion. She stated that she is notified by the State and then she sends a form out to the company to fill out. Dunlap asked if the seismograph permit would also go through the State. The answer was no, so these companies will still come through the County for their permitting. The Commissioners continued their discussion on how much per mile to set as the bond amount, concluding that they would prefer a refundable bond in lieu of a \$500 permit fee. Koehler stated again that as long as mud and frost conditions were included in the permitting process that there shouldn't be as much damage to the roads. They will make their changes to their permit and then talk with the State to see how to implement the oil and gas permit with the State permit.

Gravel crew truck replacement needs to be included in the 2012-2013 budgets. The Commissioners will have Road and Bridge write up criteria and preferences of make and then they will get bids from 4-5 dealers. They will need to start replacing mowers and pickups, also.

There is a tree in the right of way on County Road P and Hwy 287 that is obstructing the view when entering the highway. The Commissioners will have the Road & Bridge crew remove the tree.

The Veterans report was reviewed.

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

The TV tower documents have been sent by FedEx 2 day air and Dunlap has a tracking number. She was assured it would arrive by Friday afternoon.

There were reports given regarding SAGE, SEBREA, SECED, and the Workforce.

Time off requests were reviewed and approved.

The Courthouse lawn mower was discussed. Koehler made the motion, seconded by Oswald, to purchase a Cub Cadet lawn mower and bagger from Eads Auto Supply for the Courthouse. All Commissioners voted affirmative.

Mutual Aid Agreement for Emergency Services between six counties (Baca, Bent, Crowley, Kiowa, Otero, and Prowers Counties) was discussed. Koehler made the motion, seconded by Oswald, to approve and sign. All Commissioners voted affirmative. There was also discussion regarding the Waldo Canyon fire. If they need the forest service fire truck at this fire, the County will haul it on a trailer to Colorado Springs since it goes only 45 miles per hour.

The large electric bill at the Community Building was briefly discussed.

One of the invoices on behalf of the generator installation in the amount of \$1,150 to Koehler Oil Field Service was returned back to Prairie Pines Assisted Living as a donation.

Oswald reported that the County owned terracer that the State Highway department had been using has been returned to the Eads County Shop.

With no further business, a motion was made by Oswald, seconded by Koehler, to adjourn the meeting at 2:10 p.m. All Commissioners voted affirmative.