

March 3, 2015

At a regular meeting of the Board of County Commissioner, Washington County Colorado, held at the Courthouse in Akron CO on the 3rd day of March 2015, there were present:

Terry G. Hart, chairman	present
David Foy, commissioner	present
Lea Ann Laybourn, commissioner	present
Garland Wahl, clerk of the board	present
Peter 'Larry' Vana, county attorney	present

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Agenda with additions**. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Schedule of Bills for the County** from the General, Road and Bridge, Health Care, TV Translator, Landfill, Capital Expenditure, and Justice Center, payables for March 3, 2015 with a value of \$134,968.57. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Schedule of Bills for the Nursing Home** for March 3, 2015 with a value of \$10,639.82. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Schedule of Bills for Pioneer Haven** for March 3, 2015 with a value of \$2808.95. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **January 27, 2015 Minutes**. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **February 3, 2015 Minutes**. On roll call vote, all votes being yes, the motion passed.

Larry Vana, County Attorney was asked by Commissioner Foy to send a **memorandum** requesting monthly financials for the years of 2012, 2013, 2014, and 2015 at the **Nursing Home** for a historical perspective review.

Brenda Rhea, **Nursing Home Administration**, reported there are 23 residents today and five referrals. State Health Department inspection was done. The state has ten days to report their finding after the inspection. We will have to upgrade the microwaves ovens and the GFI outlets and I've already talked to Ryan Koch, local electrician. We have one resident that has influenza

type B. I will have to notify the state today. Visitors will be asked to stay away until everyone has recovered.

Commissioner Foy asked if Gail Hoyt was still coming to help with the financial reports at the Nursing Home. Rhea said she hasn't seen her since she's been there. Rhea will contact Hoyt and ask to her to come for a visit. Commissioners would like to see the financial reports no later than the 10th of the month. Rhea will talk to her bookkeeper.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to authorize the Chairman to sign the **Colorado Parks and Wildlife Impact Assistance Grant Application** authorized by C.R.S 30-25-301-302, as amended as presented to the commissioners by Assessor Larry Griese. On roll call vote, all votes being yes, the motion passed.

Resolution 57-2015 It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to authorize the Chairman of the Board to execute the following documents / agreements, on behalf of the Washington County Fair Board, to provide **musical entertainment** during the **2015 Eastern Colorado Roundup** pursuant to the terms as contained therein except where modified, to wit:

1. Winterset Concert Events – Service Agreement as Producer for CHRIS CAGLE Concert in the amount of \$2000.00.
2. Agency for the Performing Arts, Inc. Agreement / Rider for CHRIS CAGLE pursuant to the terms as modified on this date by the Board in the amount of \$20,000.00.

On roll call vote, all votes being yes, the motion passed.

Resolution 58-2015 It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to adopt the following Resolution; to wit:

WHEREAS, the Board of County Commissioners has determined that it would be desirable to create a county-wide policy in relation to public requests for County generated public records and

WHEREAS in order to comply with Colorado Revised Statutes 24-72-201 et. Seq. regarding fees that may be charged for extensive research or compilation of documents not generally produced by a county office or department or historical document retrieval, Washington County must have some written policy that is available to the general public; and

WHEREAS, there currently exists no uniform policy so as to advise the public in general; and

WHEREAS, this policy will be available on the County website so as to provide guidance to the public as to Washington County's policy; and

WHEREAS; pursuant to the aforementioned Manual the proposed changes have been presented at the Department Head / Elected Official meeting on February 10, 2015 and the proposed written policy was distributed at that time; and

WHEREAS; to date the Board has received no comments on the proposed policy and therefore has determined to take the following action in relation to adoption of the policy at this time.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSONERS OF WASHINGTON COUNTY, as follows:

1. The Board of County Commissioners hereby determines to adopt the following Policy relating to the Colorado Open Records Act, to wit:

WASHINGTON COUNTY
POLICY REGARDING OPEN RECORDS REQUESTS

PURPOSE: It is the policy of the Board of County Commissioners that all public records shall be open to inspection by any person at reasonable times, except as provided by the Colorado Public Records Act, or as otherwise specifically provided by law. In all cases where a person has the right to inspect a public record, the person may request a copy or printout of the record.

Although public records are typically open to inspection, the Act authorizes a custodian of records to make rules and regulations regarding the disclosure and inspection of public records as are reasonably necessary for the protection of the records and the prevention of unnecessary interference with the regular discharge of the duties of the custodian or the custodian's office.

The purpose of this policy is to set forth a general guideline for use by citizens or entities requesting public records, and for use by County staff in responding to such requests. Elected officials may expand the parameters of this policy such as the Clerk and Recorder when requests for ballots when made in proximity to elections.

APPLICABILITY: This policy shall apply to all County Departments and Offices. In most cases, Washington County's elected officials and department heads are the official custodians of records maintained within their respective offices and departments. Requests for public records and / or inspection of those records in most cases will be fulfilled within three working days or, when extenuating circumstances apply, within an addition seven working days as established by CORA. The appropriate custodian will notify you when there are extenuating circumstances that do not allow us to respond to your request within three working days.

PROCEDURES: To request inspection or a copy of a public record, any member of the public should contact the Washington County office or department that is the designated custodian for that specific information. In some cases the custodian may require that the request be in writing so as to retrieve documents that are relevant to the requestor and germane to the request. In most cases copies of the documents may be obtained for the nominal fee of \$.25 per page. However in some cases where retrieval may be onerous or require staff time to retrieve or create a document that is not normally produced by said office or department, the cost will be increased to reflect the actual reasonable cost to produce the record. In those cases, the custodian may require payment for the documents to be produced prior to undertaking the task of production. Each office or department will attempt to help you with the request and provide information about any applicable fees for obtaining copies of public records. (A contact list is provided at the end of this document).

Open records requests may be submitted in person, by regular mail or via facsimile to the appropriate custodian. One should describe their request as specifically as possible. If the document name is unknown, provide a brief, but specific, description of the information requested. Include dates, type of document, parties involved, etc. Broad, vague or voluminous requests may cause delays in producing the records. Requests submitted via email are discouraged because due to spam filters, inactive or incorrect email accounts, the County cannot guarantee that a particular custodian has received an electronic email request. It is not necessary to disclose your reason for making the request, unless such information is necessary to fulfill the request.

As stated above, a person may be required to submit the request in writing if the custodian believes it is reasonable and appropriate based on the specific and unique circumstances of the request or will help the department to better serve your needs for identifying the records you are requesting. In some of these cases the custodian may extend the inspection of and production of public records for an additional seven (7) working days as allowed by

REVIEWING IN PERSON: You may review public documents prior to requesting copies of public documents available from Washington County. If you ask to review original documents, we may request that you follow certain procedures to protect the integrity of the public record. For example, you may:

- Be supervised by a county employee within the area where the records are stored and/or maintained;

- Need to review records in a designated area or be asked to schedule for a particular time of day in order to not unduly disrupt the day-to-day activities of that specific office or department.

In relation to the aforementioned, questions or problems arising from a request to review or produce public records should be referred to the Elected Official or Department Head who is the custodian of the specific record(s). See contact information at the end of this document.

Please note: Records that are prohibited from disclosure under CORA or other statute(s) cannot be made available to the public. Washington County may also have certain private and/or financial information within a personnel file relating to employees that will not be released except upon the approval of that individual.

OBTAINING COPIES REQUIRING RESEARCH OR TIME CONSUMING RETRIEVAL: It is the policy of Washington County to meet public information requests in the most economical way possible. Any fees charged by Washington County will be consistent with the provisions of CORA. The nature of the request will dictate any potential fees or costs. As stated above, costs for standard photocopies will not exceed the limit set by CORA (currently \$.25 per page) unless actual costs exceed that amount.

As stated above, if a specific request requires a substantial devotion of staff time, whether for the purposes of researching records, redacting documents to remove confidential information, supervising the physical inspection of original documents, or manipulating data (including manipulating data in order to generate a record in a form not used by the county, although such manipulations are not required by CORA), then a fee of \$25 per hour may be charged to the requesting party. For the purposes of this document, "substantial devotion of staff time" shall mean more than one hour, and said fee shall not begin to accrue until after the first hour of staff time.

In this case the requesting party will be notified of the estimated fees and costs, and said fees and costs will be collected from the requesting party before any records are produced by the County. Only actual costs will be charged, and if the estimate exceeded the actual expense of filling the request, the excess will be refunded to the requestor.

CONTACT INFORMATION: The following persons may be contacted regarding records that may be available to the public. In all cases it is imperative that the appropriate Elected Official and the County Administrator be notified of any and all requests so that requests are directed to the proper custodian. Failure to follow this may result in a substantial delay in

retrieval or production of documents in that if the official custodian is not made aware of your request, Washington County cannot comply. By notification to the County Administrator, your request will be promptly forwarded to the correct person within Washington County.

Board of County Commissioners / Commissioner Departments

Contact: Val Foutz

Phone: 970.345.2701

Address: 150 Ash Avenue, Akron, CO 80720

Website: www.co.washington.co.us

Email: vfoutz@co.washington.co.us

Business hours: 8:00 a.m. – 4:30 p.m. Monday – Friday

County Administrator / County Attorney

Contact: Chris Packer

Phone: 970.345.2701

Address: 150 Ash Avenue, Akron, CO 80720

Website: www.co.washington.co.us

Email: cpacker@co.washington.co.us

Business hours: 8:00 a.m. – 4:30 p.m. Monday – Friday

County Assessor

Contact: Larry Griese

Phone: 970.345.6662

Address: 150 Ash Avenue, Akron, CO 80720

Website: www.co.washington.co.us

Email: lgriese@co.washington.co.us

Business hours: 8:00 a.m. – 4:30 p.m. Monday – Friday

Custodian of these general records: Property records, Parcel maps, Taxing Authority information

County Clerk and Recorder

Contact: Garland Wahl

Phone: 970.345.6565

Address: 150 Ash Avenue, Akron, CO 80720

Website: www.co.washington.co.us

Email: gwahl@co.washington.co.us

Business hours: 8:00 a.m. – 4:30 p.m. Monday – Friday

Custodian of these general records: Records are available for the following Divisions: Motor Vehicle, Recording, Elections and Clerk of the Board.

Washington County Clerk and Recorder Internal Policies (make as a link)

Rules with Reference to the Inspection of Public Records within the Custody of the Office of the Washington County Clerk and Recorder (make as a link)

County Coroner

Contact: Cheryl Kraich

Phone: 970.554.1781

Address: 150 Ash Avenue, PO Box 505, Akron, CO 80720

Website: www.co.washington.co.us

Email: ckraich@co.washington.co.us

Public Trustee

Contact: Debi Cooper

Phone: 970.345.6601

Address: 150 Ash Avenue, Akron, CO 80720

Website: www.co.washington.co.us

Email: dcooper@co.washington.co.us

Business hours: 8:00 a.m. – 4:30 p.m. Monday – Friday

Custodian of these general records: Foreclosures

County Sheriff

Contact: Jon Stivers (Sheriff) / Patty Baker (Office Manager)

Phone: 970.345.6865 Ext. 2000

Address: 26861 Highway 34, Akron, CO 80720

Website: www.co.washington.co.us

Email: pbaker@co.washington.co.us jstivers@co.washington.co.us

Business hours: 8:00 a.m. – 4:30 p.m. Monday – Friday

Custodian of these general records: Criminal justice records, criminal reports, sex offender lists,

County Treasurer

Contact: Debi Cooper

Phone: 970.345.6601

Address: 150 Ash Avenue, Akron, CO 80720

Website: www.co.washington.co.us

Email: dcooper@co.washington.co.us

Business hours: 8:00 a.m. – 4:30 p.m. Monday – Friday

Custodian of these general records: Property tax information, taxing authority distribution, investment portfolio, tax lien/treasurer's deed, etc.

End of Policy

2. Said policy shall become effective immediately. The Clerk to the Board is hereby directed to place this policy on the Washington County Website and to distribute said policy to all elected officials, offices and County departments.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 3rd day of March 2015 by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Foy and on roll call vote, all votes being yes, the resolution was adopted.

Val Foutz, **Zoning Official** presentation:

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Road Cut/Right of Way Permit Telecommunications Companies (RWT15-01)** for **CenturyLink, Inc.** to replace 50 pr buried cable, RR adding 2nd track on Section 5-5N-54W (Nearest intersection and distance from County Road P.5 between County Roads 59.5 and 17.8). On roll call vote all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Building Permit Application (BP15-05)** for **Jeff Sprague** to build up a storage building on Section 25-5N-49W. On roll call vote all votes being yes, the motion passed.

Foutz I had a request about a food vendor parking a trailer and selling food during the Fair.

Viaero is looking into placing two Cell Towers. One would be at the Arickaree School. They are looking at what the set back is. The towers will be 195'. An application will be made to us as soon as they gather all the information they need.

The electric bill was a lot for the Event Center that had 11 events in December. Chairman Hart asked Foutz to make a report on the Event Center for a year.

Chris Packer, County Administrator asked the Commissioners how they want to respond to the email from Sheriff Stivers about the Kubl Group Proposal - DPS Rewire and Lock Service.

Commissioners visited the Justice Center and looked at the system Kubl's proposal will fix. There were 187 inmates today.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to sign the Proposal – DPS Rewire and Lock Service for the base bid of \$5800 with **Kubl Group LLC**. The work by Kubl is to be completed before the installation of the of the new control board at the **Justice Center**. On roll call vote, all votes being yes, the motion passed.

Richard Holtorf and Mitch Kendrick, **Memorial Building** members:

- Met the requirements getting application in
- Two proposals Building by Design and Iron Works as application goes through need refinement on these proposals
- Decision who contractor and alternate contractor will be
- What are the contractors giving us needs to be final review of proposal
- Restrooms and showers increased the bid considerably and will cost at least \$100,000 more. Maybe we want to rough in the plumbing before the floor is finished.
- Hart said we need to start with dollars we have and make the building fit. What is maximum amount Washington County could allow into future if we do this in phases? What other resources are there to help later?
- Kendrick we could look at mini grants in the future to finish the bathroom.
- Holtorf we can review after Chris Packer talks to the two that turned in proposals. Anticipate we get the grant in June we have to have everything done in May.
- Holtorf have the commissioners negotiate with the builder to give us what they can do to the dollar figure we have for a 200' x 150' x 20' building.
- Kendrick we are planning on building this type of building. It is the same building even if we change dimensions we are good on this. We need identical bid proposals to tear down the current building - electrical in building is not safe - what is slope of sewer line? Hart it is a deep sewer line.
- Kendrick we are committed for \$631,000 based on allocations we've been given.
- Packer we can match with conservation trust funds.
- Hart go to builders and say we have \$631,000 to spend - tell us what you can give us.
- Packer we pitched ADA so we don't want to take too much cement away. Concrete permanent bleachers and arena go around that.
- Packer we turn in that we will do A B C.

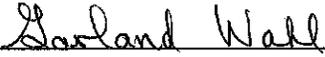
- Mitch cost is in the length of the building.
- Holtorf don't be too restrictive – this is budget how do we make it fit?

Jim Evans did a lot of extra work with phone and internet upgrades.

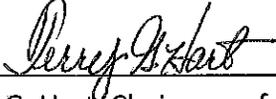
Packer said the Wern Air billing has been sitting over at the Nursing Home for one week. Jim McCracken needs to schedule the state boiler inspector to certify the boiler or see if Wern Air scheduled the state inspector.

Madeline Meacham will be here at 10:00 a.m. next week to meet with the Emergency Telephone Service Authority Board Washington-Yuma Counties. She will go to the Messex area in afternoon to look at railroad situation if time permits.

There being no further business the meeting was adjourned.



Garland Wahl, Clerk of the Board



Terry G. Hart, Chairman of the Board of Commissioners