

August 11, 2015

At a regular meeting of the Board of County Commissioners, Washington County Colorado, held at the Courthouse in Akron, Colorado on Monday the 11th day of August 2015, there were present:

Terry 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

Scott Szabo, Lauer, Szabo and Associates **reviewed the 2014 Audit report.**

Present were: Auditor - Scott Szabo; County Commissioners Terry G. Hart; David Foy, Lea Ann Laybourn; Clerk of the Board – Garland Wahl; County Administrator - Chris Packer; Road and Bridge Supervisor District #3 - Steve Williams; Financial Director - Donna Morris; Assistant to the Board - Val Foutz; Under Sheriff - Ken Kimsey; Sheriff - Jon Stivers, Justice Center Financial Director - Brittany Kusel; and Facilities Operation Manager - Jim McCracken.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Audit Summary for the Year Ended December 31, 2014** and send a copy to the State. 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 Agenda addition.** 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, Human Services, Health Care, TV Translator, Landfill, Construction, and Justice Center, payables for August 11, 2015 with a value of \$86,064.14. 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 voucher to pay **Peace Lutheran Youth for carnival operations** at the fair in the amount of \$1654.00. 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 voucher to pay **Otis Fire Department for carnival operations** at the fair in the amount of \$950.00. 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 voucher to pay **Catholic Youth Group for carnival operations** at the fair in the amount of \$1583.00. 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 voucher to pay the **Boy Scouts for carnival operations** at the fair in the amount of \$290.00. 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 August 11, 2015 with a value of \$48,060.82. On roll call vote, all votes being yes, the motion passed. Reflected in report \$36,997 for expenses relating to the Green House Project construction with \$30,000 of that satisfying the financing (new market) amounts.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Schedule of Bills for Pioneer Haven** for August 11, 2015 with a value of \$2483.78. 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 **August 3, 2015 Minutes**. On roll call vote, all votes being yes, the motion passed.

Brenda Rhea, **Nursing Home Administrator**, reported there were 28 residents today. The first Leadership Training Classes for the new Nursing Home went very well. There will be more training August 21 and 22, 2015. Roof repairs from the hail damage are going well.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to authorize the chairman to sign the **Semi-Annual Report from the Treasurer** that will go to the newspapers for publication. On roll call vote, all votes being yes, the motion passed.

Chris Packer, County Administrator Report:

- Received Release of Funds Request from G.H. Phipps (contractor) for the new Nursing Home in the amount of \$222,976.27.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to authorize the signatures of the commissioners be pre-signed and **allow Chris Packer to date and pay the bills** for the construction of the new Nursing Home at the appropriate time and the commissioners will review the expenditures at the next regular meeting after Packer has paid them. On roll call vote, all votes being yes, the motion passed. Release of funds request in the amount of \$222,976.27 dated August 11, 2015 from G.H. Phipps.

- G.H. Phipps collects from all sub-contractors. We pay G.H. Phipps within 10 days.
- Packer stated there are two older copiers that he recommends we get rid of. One is at the Event Center and another one is at the Clinic.
- Brianna Jefferson is about finished with x-ray training and Packer would like to pay for the training out of the Hospital Memorial Fund.
- Rural Health Clinic cost report – person who did the cost report made an error - redid the report and Rural Health Clinic will owe us \$15,000 – report was resubmitted.

- Mitch Kendrick and Chris Packer talked about the GOCO grant fall cycle and asking for the grant again for the new Livestock Building for the fairgrounds. Commissioner Hart stated he is concerned about the size of building and what parking will have to be given up. Commissioners Foy and Laybourn said the building was downsized to 220' x 110' before the application was submitted to GOCO.
- The Salary Bill passed by the State Legislature takes effect in 2016. CCI wrote a memorandum explaining their interpretation of the bill and what new legislation could be presented for those counties who don't want to give a 30% increase in salary. CCI would like a report from each county by September. The county attorney recommended that all elected officials be involved.
- Resolution 155-2011 states fair checking account needs updated every year.
- Jerry Morris has been appointed to RETAC.
- Washington-Yuma Counties Emergency Telephone Service Authority Board member Steve Marshall resigned. No letter of resignation has been received. Packer asked if the commissioners wanted to ride it out until reorganization time in January. Commissioner Foy suggested waiting to appoint someone until the first of the year.

Larry Vana, County Attorney Report:

- I'm going to call Larry Berkowitz to see when the case involving the Y-W Electric Association, Inc. loan to W-Y Combined Communications Board correction will be wrapped up.
- Vana asked if the commissioners were going to leave the W-Y Communication Center, talk to Morgan County or stay where you are. Vana wrote a draft letter for the option to withdraw. Commissioner Foy stated there are things we need to work on i.e. if we walk out what goes with us and does the money we pay on the phone bills go with us.

Present at the **Elected Officials and Department Heads meeting** were: Commissioners – Terry Hart, David Foy, Lea Ann Laybourn; Clerk and Recorder – Garland Wahl; Treasurer – Debi Cooper; Sheriff – Jon Stivers; County Administrator – Chris Packer; County Attorney - Larry Vana; Assistant to the Board – Val Foutz; Financial Director – Donna Morris; Brenda Rhea – Nursing Home Administrator; Facilities Operation Supervisor – Jim McCracken; Road and Bridge Supervisor – Steve Williams District #3; Jason Lockard Districts #1 and #2; Jerry Patterson – Otis Telegraph

Foutz: lots of planning and zoning going on for the next several months. We will have two Use by Special Reviews to present to the Planning Commissioner on Monday August 17th.

Packer: Budget for next year information will be coming out soon. The construction project for the new Nursing Home is moving along. We are a week ahead of schedule.

Cooper: are there any funds coming in?

Packer: we did the first draw today.

Morris: I will meet with a representative from the Bank of Colorado about how to switch payroll from Farmers State Bank to their bank. The Nursing Home payroll will stay at Farmers. I need payroll by the 20th.

Hart: do we have employees leaving or are we hiring.

Morris: two left and we had some go from part time to full time.

Vana: we had the PUC meeting about the railroad crossing in Messex. Testimony from everyone was good. Jason Lockard was there. Mike McCaleb, Sheriff Stivers and commissioner Foy testified. The railroad gave good testimony but they are there every week. I thought the judge took our side so there is a 50%/50% chance to keep the railroad crossing at County Road P.5. I wrote a resolution today to increase the speed limit on paved County Road RR between Highway 34 and Highway 36 to 65 mph. I need to write a new resolution for fair board checking account.

McCracken: fair went well for the most part. It seemed harder this year. I had a lot of people say it was too long. Clinic has fresh paint. Not all the carpets in the courthouse got cleaned. One of their hoses on the cleaning equipment leaked water so the company didn't finish with all the cleaning.

Hart: it was 90 degrees at the fair and people running air conditions in their campers gave me a lot of grief on the electrical.

McCracken: we need to do more 220 volts, single phase hook ups. I recommend we move the lines up so big campers are spread out more. We could require that they bring their own generator. I will talk to Ryan Koch about electricity.

Hart: we could have Val Foutz ask what amps they have and if more than 50 amps we ask them to bring a generator. The RVs parked on the West side were spaced out.

Foy: we told them this was going to happen. We could send a letter to those who usually park in the spaces what amps they have so we can figure better what we need.

McCracken: Koch said he has to meet state specifications for RV parking.

Foy: this is a Fair not a RV parking lot.

Lockard: if we get a big rain those RVs won't get through the track. It is a mud hole right now. If we keep parking RVs where they are we need to redo the entrances.

Cooper: we are 96% + collected. We will advertise the delinquent taxes in October. Julie Slusser will switch to part time during our busy season. We are going to wing it through the rest of the year.

Lockard: by the middle of next week we will be finished with the roads in Messex. We've been mowing and spraying the roadsides. We are getting more gravel on roads in the Messex area.

Williams: we've been putting gravel on roads, mowing and grading the roads for schools that start in two weeks.

Hart: have you seen the county weed sprayer spraying the roads?

Lockard: we saw spraying and we've done some spraying.

Williams: hard to get through the sunflowers to the bind weed to spray.

Foy: do we have any employee openings?

Lockard: we have one. We have one part time person that we would like to go full time.

Foy: Roger Hickert told us about a place to look at gravel in Wray. We will go look at it.

Vana: asked what Lockard thought of the PUC hearing?

Foy: I thought Mike McCaleb did a good job also.

Stivers: we've averaged 170 inmates. The control board is doing well. The communication system will still have to be replaced. We were busy with the fair but had no big issues. We hired a new person to work detention. We will hire an assistant maintenance employee next week.

Rhea: we have 27 residents today. We've been busy. We took some of the residents to the groundbreaking for the new Nursing Home. After the groundbreaking we served about 170 people at the chuck wagon picnic. We will have lots of training between now and April for the new nursing home.

Foy: I want to give credit to the county attorney for staying on top of everything and preparing us for the PUC hearing about the railroad crossing in Messex. Jason Lockard and Mike McCaleb did a good job. The Sheriff was there too and did a good job. Brandenburg did a good job. While I was on the stand I was asked how much money would the county be willing to put in to keep the crossing at County Road P.5. I told them that was a board decision. On August 8th Commissioner Laybourn, McCaleb, Jason Lockard, Curt Werner, and I met with U.S. Senator Cory Gardner and showed him the flood area in the Messex area.

Stivers: we don't have a computer system capable of doing the work we should be able to do like tracking the flood in the Messex area.

Vana: the sheet the railroad presented didn't show all the calls that were received. They went by address and if the address didn't say Messex the railroad didn't count them. We don't have the equipment to track the calls.

Lockard: their report showed zero calls for the 2013 report.

Stivers: we've had the same computer system since before we moved out to the Justice Center.

Wahl: August 15 there will be an increase in driver's license fees. CDL fees went down. We will go through a Mock Election next week. The whole state participates in the Mock Election at the same time. We can test to make sure the state computer system can handle the load of all the counties being on it at the same time.

Laybourn: fair week was long but good. The weather was nice the whole week. We voted to increase the speed from 55 to 65 on County Road RR south of Otis as soon as the new signs are put into place. Senator Gardner was disappointed we didn't have the FEMA funds yet from the 2013 floods.

Packer: the federal government sent the money to the state. We turned in all our requests to the State of Colorado. They claim they didn't know we had sent everything. Mike McCaleb and I sat down with the state people and reviewed everything.

Laybourn: Jim Evans has been instructed to get a laptop that can be checked out with instructions taped to it on how to operate the large printer downstairs. We are working on updating the county website. Garland is working with SIPA and cob-webcreations and we've talked to Sara Love Peterson out of Wray. We've discussed putting a question on the ballot regarding broadband. We will be meeting with the non-profit organizations at our eastern commissioner region meeting. Centennial Mental Health will not be requesting funds this year.

Foy: our request to Senator Gardner was getting some help to rebuild levees along the railroad that could be long term fixes for flooding. We need to figure out a way to mitigate water from coming down into the Messex area.

Hart: fair has been a big part of August. Commissioner Laybourn said Commissioner Hart took over for Jerry Patterson when he resigned as carnival chairman. Hart said he had some hard working and professional acting 15 year old kids helping him. They had a good work ethic. Hart said he had a lot of people request that the parade be moved back to Friday and that the fair was too long.

Cooper: how many people were at the rodeo?

Patterson: 150 – 200, there was a good turnout of cowboys.

Hart: Otis Fire Department did a good helping run the rides. Richard Brandon helped get Ferris Wheel going. He trained on keeping it tuned up. The Ferris Wheel was built in 1917 and we can still get parts for it. We are looking at a new carnival ride for next year. I ran the kiddie Ferris wheel and the smiles from the little ones faces were very rewarding. This year rides were \$.25 each. We may look at going up to \$.50 for some things next year.

Rhea: have you thought about family tickets prices for day or week or duration of the time you are open.

Hart: we sold over 16,000 tickets.

Lockard: I'd hate to see prices increase. They all had lines of kids.

Packer: you could give some tickets free. It costs \$4000 for insurance but there was a \$15,000 income.

Patterson: it was cool most of the week. Colby, Kansas is a county owned carnival and their rides are free.

Lockard: the fair wasn't made to make money and it would be a way of giving back to the community.

Vana: it's beneficial to get a new ride every once in a while. Is there a plan to get rides?

Patterson: it costs \$15,000 to purchase a used ride then you pay another \$15,000 to fix it up. It would be great to get new rides. I'd rather see if Wisdoms in Merino can design a county ride.

Hart: I attended the airport board meeting. Aviation contractors will start working on the tarmac and taxiways and make cement repairs.

Cooper: are we responsible to get our own information on the website?

Wahl: we are working on getting someone to professionally design our information.

Williams: I was told when we get a different CDL license we will need to have our birth certificate and social security card.

Present at the **Elected Officials Meeting were:** Commissioners Terry G. Hart, David Foy, Lea Ann Laybourn; Clerk and Recorder, Garland Wahl; Treasurer, Debi Cooper; Sheriff, Jon Stivers; Administrator, Chris Packer; and Attorney, Larry Vana.

Packer handed out a memorandum from Eric Bergman, Policy Director, CCI and a spreadsheet prepared by Packer showing the figures for the salary increases and the differences for each percentage amount.

Senate Bill 15-288 was passed during the 2015 legislative session that establishes a 30% pay increase for all county elected officials in all salary categories beginning in 2016. There has not been any salary increases for county elected offices (not even cost of living increases) since 2007. The act also established four new subcategories (A-D) within the existing county categories (I-IV), with a corresponding descending level of pay increase for each subcategory. Under SB15-288 all counties were placed in the "A" subcategory of their main category (which equates to a 30% increase). The remaining three subcategories (B, C, and D) have progressively lower level raises associated with them (20%, 10% or 0%, respectively).

These subcategories were created in direct response to concerns from commissioners about their local ability to accommodate a raise from a budgetary or political standpoint. Under the act, a county may ask to move to a different subcategory (through legislation) if it determines that the scheduled 30% raise is not feasible.

There are plans to run legislation in the 2016 session to allow those counties that want reduced salary increases (or no salary increase at all) to request a move to a more appropriate subcategory prior to the effective date of the pay increases (beginning in 2016, but with the main ones starting in 2017 or 2019).

The final aspect of this salary act is a provision that institutes an automatic inflationary increase, which should alleviate the need to bring future salary legislation forward. Under the act, the Director of Research within the Colorado Legislative Council is required to calculate the inflationary increases every two years, based on the Denver-Boulder-Greeley Consumer Price Index (CPI), and post these adjusted

annual salary amounts on the General Assembly website. The inflationary increase will affect the salary numbers that go into effect in 2019.

The elected officials were asked to look over the information handed out and meet again next week at 1:15 p.m.

Val Foutz, Zoning Official presentation:

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Building Permit (15-11) for Melissa Maas** for a residence on the SE1/4-7-1N-52W. On roll call vote, all votes being yes, the motion passed.

Keisha and Leslie Reim asked the commissioners to send a letter to LaRae Scott-Jennings (Keisha's ASCENT counselor) and encouraging them to let Keisha have a Medical Deferment for 1 year. The county attorney, Larry Vana, suggested that the state senator and representative be contacted for help with the ASCENT program. Vana also recommended they contact an attorney.

Resolution 97-2015

WHEREAS, pursuant to C.R.S. 30-11-101(1) (d), the Board has the authority to do all acts in relation to property necessary to exercise the corporate and administrative powers of the County; and

WHEREAS, pursuant to C.R.S. 30-11-107 (e) the Board has the authority to manage the concerns of the county; and

WHEREAS, pursuant to C.R.S. 30-11-107 (a) the Board has sole authority to make orders concerning the property belonging to the county as it deems expedient; and

WHEREAS, pursuant to C.R.S. 43-2-201 ey.seq. all Counties are allowed to establish roadway systems within the county and maintain same; and

WHEREAS, pursuant to C.R.S. 42-2-114 the County may establish standards for primary County Roads; and

WHEREAS, pursuant to C.R.S. 42-4-1102 a Board of County Commissioners may determine to alter speed limits on County roads, having such authority in the interest of public safety after conducting a traffic investigation or survey; and

WHEREAS, members of the Board have received citizen complaints regarding the 55 MPH speed limit on Washington County Road RR; and

WHEREAS, based upon the aforementioned, the Board retained Felsberg Holt & Ullevig to conduct a Vehicle Speed and Classification Research study on CR RR and MKE Engineering to review issues surrounding pavement structure support for an increased speed limit, copies of which are attached hereto; and

WHEREAS, based upon the results of the aforementioned study have determined to take the following action to raise the speed limit on County Road RR to 65 MPH.

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

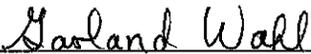
1. The Board hereby determines to raise the speed limit on County Road RR along the corridor as defined within the study to 65 miles per hour.

2. The Board directs the Clerk to the Board to notify the Sheriff and the appropriate road and bridge supervisor of the action taken by the Board on this date and to publish this resolution in both county legal publications.

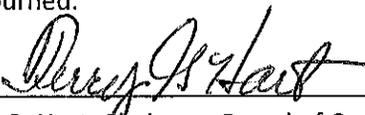
3. Said increase in the speed limit shall not be effective unless and until the appropriate signage has been installed and publication to the traveling public has been made in the County legal publications.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 11th day of August, 2015 by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Hart and on roll call vote, Commissioners Laybourn and Hart voted yes. Commissioner Foy voted no. The resolution was passed and adopted by a majority vote.

There being no further business the meeting was adjourned.



Garland Wahl, Clerk of the Board



Terry G. Hart, Chairman Board of County Commissioners