

November 17, 2015

At a regular meeting of the Board of County Commissioners, Washington County Colorado, held at the Courthouse in Akron, Colorado on Tuesday the 17th day of November 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	excused (blizzard)
Chris Packer, county administrator	present

Commissioners met at the Clinic.

The pledge of allegiance was recited by those 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, Landfill, and Justice Center, payables for November 17, 2015 with a value of \$58,222.24. 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 the Nursing Home** for November 17, 2015 with a value of \$15,965.85. 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 Pioneer Haven** for November 17, 2015 with a value of \$182.42. On roll call vote, all votes being yes, the motion passed.

Sheriff Stivers discussed the health care provider for inmate care. Commissioners suggested that the Sheriff talk to the county attorney Larry Vana.

Sheriff Stivers reported Washington County hasn't been paid for housing Boulder County inmates. Stivers discovered that the bill is over \$5000 and Boulder County requires a contract for amounts over \$5000. Stivers will talk to the county attorney about a contract.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the Request for **Capital Purchase for an additional eight cameras** for the **Justice Center** at a cost of \$23,400. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to give the **county administrator**, Chris Packer the **stipend of \$1500** that is in his contract. On roll call vote, all votes being yes, the motion passed.

Commissioner Laybourn suggested increasing the amount of his stipend for 2016 because Packer will be taking on more responsibilities.

Chris Packer, County Administrator Report:

- The county attorney has the employment agreements for employees ready.
- Commissioner Foy and Packer attended a meeting for disaster recovery grants and to start work on the South Platte Water River Basin Drainage and Water Shed for both the upper lower and lower upper drainage area. Logan and Sedgwick counties have a study. Apply for two grants at \$200,000 for each. Packer put together a template and after the NECALG meeting get together with others to discuss the grant. A Master Plan needs to be mitigated with DOLA and third party mitigation tributaries. The Master Plan would be taken to a meeting with the Army Corp. of Engineers. Packer said they are trying to put together a grant for \$450,000 to put a plan together to mitigate how to prevent flooding. Morgan County has done a lot of work on this. Packer will be writing a grant and resubmit it November 18, 2015. This is for February funds that will be given out to spend on a study for a Master Plan. After the study funds go 50/50 with Army Corp. of Engineers. Commissioner Foy suggested they let Alan Foutz, representative, for Senator Cory Gardner and Josh Sonnenberg, representative, for Representative Ken Buck know they are doing this.
- Packer met November 12 for the last round for funds associated with the disaster recovery issues.
- Budget is moving along. Commissioner Foy said they need to give answers to the outside agencies, like the District Attorney, Northeast Colorado Health Department, etc. Commissioner Laybourn asked what decision had been made about ABC Child Care. Commissioner Foy asked if they had received anything in writing from the ABC Child Care Board. Commissioner Laybourn said she would like to see funds to help them be on a year to year basis. It was suggested that \$9000 be set aside for ABC Child Care. Packer stated it looks like the assessed value will be down next year. Packer also stated they could change abatement monies funds from Rick Agan.
- Waste Management can't make the meeting today. This year there was a high volume of shingles taken to the Landfill. We are down in tonnage. Can we afford to have someone at the landfill five days a week? Commissioner Hart asked what it costs the county to comply with state requirements. Packer said our equipment costs for the compactor and tractor upgrades were \$129,004 in 2015 and estimated at \$138,224 in 2016. In 2014 we changed the .75 mill levy to 1.0 mill levy. Val Foutz provided some numbers on tonnage – with Waste Management it was estimated to be 5973 tons and without Waste Management it would be 2190 – a 45% difference. Recycling materials picked up by Waste Management doesn't come to our Landfill. There are proposed talks with Creative Energy Services (CES) to provide energy to the City of Fort Morgan. CES would be interested in the trash hauled to the County landfill.

- Commissioner Foy moved the W-Y meeting from Akron to Yuma next Tuesday.
- The names submitted by the Nursing Home Board for buildings and streets at the new site are: Homestead, Harvest, High Plains, High Prairie, Street Names Heritage Lane and Harmony
- A meeting with elected officials will be November 23 at 10:00 a.m. to review the budget.
- The Clinic building needs fixed.
- Nothing has been done on roads. We just never recovered from the flood work.
- We need to have a conversation with Jim Evans about salary if he becomes a full time employee. Evans is asking \$42,000 plus benefits and that he be allowed to keep his two other jobs at Head Start and Brush.
- Commissioner Foy said he gave a report at the Farm Bureau meeting recently and afterwards Rick Lewton said he didn't know commissioners were involved in so many things. Packer said the minutes need to be available to the public. Commissioner Hart suggested they get published in the newspapers. Packer stated that at an administrators meeting there was discussion about commissioner minutes. He stated how some of the minutes were presented such as consent minutes, action minutes, etc. Clerk of the Board, Garland Wahl, stated the minutes will go out on the Clerk's website after the website goes live.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to allow the chairman, Terry G. Hart to sign letter stating that Washington County agrees in principle to apply for **two DOLA grants which will study the South Platte River Drainage Basin and Watershed**. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Hart to allow Commissioner Laybourn to sign **Agreement between District #3 and Anton Co-op** for diesel fuel at \$1.86 gallon. On roll call vote, all votes being yes, the motion passed.

Foutz said she received an email about **Mine Safety and Health Administration (MSHA) training** in Greeley on March 23, 2016. District #3 is planning on sending someone to the January training in Pueblo.

Val Foutz, **Zoning Official** presentation:

Resolution 121-15 It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Application for Exemption from Subdivision Approval Regulations (EX15-10)** for **G. Richard Scott, G. Randall Scott, Barry Ducote Jr.** on the NE1/4NW1/4-7-4S-53W. On roll call vote, all votes being yes, the motion passed.

Resolution 122-15 It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Application for Exemption from Subdivision Approval Regulations (EX15-11)** for **Blue Grama Land Corporation** on SE1/4-6-5S-49W. On roll call vote, all votes being yes, the motion passed.

Resolution 123-15 It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Application to Amend Current Use by Special Review (UAA 15-02)** for **Blue Grama Land Corporation** on SE1/4-6-5S-49W. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to ratify the **Special Transport Permit – Not Drilling Rig (TP15-22)** for **John Bunning Transfer Co., Inc.** to travel down county roads. 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 **Road Cut / Right of Way Permit (RW15-123)** for **K.B. plus 5**, Kenneth Kuntz, manager at the intersection of QQ & PP on County Road 41 – S1/2-5-2N-50. On roll call vote, all votes being yes, the motion passed.

MarylN Elrick and Kory Kessinger – Elrick Pit visited with Commissioners about the **Elrick Gravel Pit**. Ron Darrell dba Akron Ready Mix has had a contract since December 22, 2003

1. Every year discuss putting contract in Maryln Elrick name.
2. Does the county have to send a monthly report to the state if gravel is removed from the pit? Kessinger said his grandmother would like to see checks and balances of what it being taken out of the pit. Does it go to certain roads? They also want to know what they are being paid for each load. Things can get lost if not timely tracked.
3. Payments every three to six months is not acceptable. Elrick said she has to ask for payments to be made. Elrick talked to Chris Packer and received payment in February 2014, talked to Chris Packer and received payment July 7, 2015, talked to Chris Packer and received payment October 27, 2015 and again in January 2015 and received a check for gravel taken out in 2014.
4. Elrick said it was difficult getting through the creek so she took land out of CRP to make a better road access. Commissioner Hart asked if the water was a problem. Commissioner Foy said you can't put damp gravel on roads. When Elrick's son, Bill, was here he noticed that there were different tattered piles of gravel everywhere. Commissioner Foy said the piles are segregated for different sizes of gravel. Another thing her son noticed is that there is no top soil. Commissioner Hart said they would clarify that with Road Supervisor, Jason Lockard.
5. Elrick said they have dug trenches in the middle of the pit to the south. Commissioner Hart said that was to drain water.
6. Kessinger said there is a different agreement than what they had with Darrell. We need to know how much is being hauled out.
7. The permit was signed over to Elrick from Akron Ready Mix July 26, 2002. Akron Ready Mix was paying \$1.00 yard and we think the county is paying Elrick \$.50. Kessinger said they would like to see an increase. He realizes it is a commodity other commissioners have discussed but it is an investment for Elrick.
8. Commissioner Foy said there needs to be a policy for how we handle reports at gravel pits. We may need to weigh loads. Commissioner Laybourn said she would like her Road Supervisor involved in any discussion so they are all doing the same thing.

Present at the meeting to **discuss the Landfill** were: Commissioners Terry G. Hart, David Foy, Lea Ann Laybourn; Clerk of the Board – Garland Wahl; County Attorney – Larry Vana; County Administrator – Chris Packer; Shaw Disposal - Brian Shaw; RADS – Greg Alt; Town of Akron - Rob Hicks and Shane Watson.

Discussion was as follows:

- Washington County is looking at changing the processes at the Landfill by keeping the Landfill open 3 days a week or 5 half days a week. Waste Management is cutting deliveries and they have cut the tonnage delivered by 45% this year. They had a contract with the county that they would guarantee a certain tonnage. The county doesn't know what they are going to do in the future.
- Washington County has to meet stringent rules set by the State.
- The State never approved the first test wells so the County was not in compliance. The county thought the wells were put in a goofy place. The inspector at the time had no problem with them. The County just drilled new test wells this year (2015).
- The state has to approve our operating plan. Sometimes it would take all day to cover. The County thought it was a good idea to use a mulch machine but it was not in the plan so the County can't use one.
- The County subsidizes the Landfill. The County equipment costs for the compactor and tractor upgrades were \$129,004 in 2015 and estimated at \$138,224 in 2016. In 2014 the County changed the .75 mill levy to 1.0 mill levy.
- There are proposed talks with Creative Energy Services (CES) to provide energy to the City of Fort Morgan. CES would own the trash from the Washington County landfill. CES would control what is hauled from the County landfill.
- Washington County has looked at Morgan County's baler and the concept would be a good fit for the County.
- The County is looking at moving one person to the maintenance department from the landfill. Have to see what the workload is in the winter at the landfill.
- The County has been working with 25 road employees and is up to 31 now.
- The County is considering grinding its own concrete. The County is working with Morgan County about renting a grinder. The concrete can be used as road base and as a ground cover.
- Commissioners asked those present to think about the three day or five half day work week.

RADS – Greg Alt

How much would it save to close the Landfill two days a week? Would it work to stagger starting times by having one man start earlier and the other one come in later?

- Other counties are open six days a week. If the Landfill is not open trash ends up in ditches.
- We are charged double if we take Washington County trash to Lincoln County.
- Waste Management only goes a 50 mile radius.

- Meeker uses tires to cover trash. Commissioner Foy stated Washington County doesn't have enough dirt to cover with. Packer stated that it is illegal to cover with tires anymore and that Meeker was grandfathered in.
- What about getting something like the burner in Holyoke?
- Landfill needs to be open every day.
- Alt and Shaw said they would be willing to pay a little more to keep it open every day.
- How much will you save if Waste Management doesn't come in and you are open three days a week or five half days?
- Packer asked how hard it was to leave trash on the truck on days the landfill is closed. Alt said the smell would be bad especially in the summer. Would want to unload by 7:00 a.m. if had to do that. Alt said he only has one truck.
- Alt asked if the county sorts? Commissioner Foy said some.
- RADS is picking up trash for Anton Coop.
- When asked about County Roads Alt replied that Morgan County roads were the best in all the counties he provides service. Ruts on Washington County roads have been worked out some with the moisture but to this day there has been no gravel put on roads. Is there a record of the amount of gravel that is hauled? We used to have gravel, what happened? Commissioner Foy said we don't have good gravel. Alt asked where gravel pits are needed. Packer replied all over the county. Commissioner Foy said some of the gravel from the pits the County has is too small. Alt asked where Morgan County gets their gravel. Hart said he uses the UPS man to tell him how the roads are and he says Washington County roads are good except for the one north of Art Cline.
- Alt has list of what other counties charge.

SHAW DISPOSAL – Brian Shaw

- Starts pickups at 7:00 a.m. and it is afternoon before drops load at Landfill so half days wouldn't work for him.
- People say it is hard to get out of Waste Management contract. You have one day to cancel their contract and that is when it is up for renewal and if it isn't cancelled then the contract automatically renews for another year and a lady told me it costs \$500 to get out.
- To haul Washington County trash to Yuma County costs double. The same with Phillips County to haul trash from another county the costs are double.
- I haul mostly in Yuma and Phillips Counties. It is 11 miles from Yuma to their landfill. They bale their cardboard and it is tax revenue for Yuma County.
- I come every Wednesday. I start at 7:00 a.m. in the Town of Otis then deliver to Washington County landfill. It takes five hours.
- The price of energy products (gas) is way down.
- Windy days it is hard to keep up and running – it takes 10-11 hours to finish a day.
- Packer asked how hard it was to leave trash on the truck on the days the landfill is closed. Shaw said he wants to empty every day because of the smell.
- Shaw and Alt said they would be willing to pay a little more to keep it open every day.

- Shaw said Washington County roads are better than Yuma County roads. He said that Yuma County has had to drag his truck off their roads. Shaw travels about 40 miles of Washington County roads. The hard winds blow the gravel off the roads.
- Shaw asked about gravel from Mason King pit. Commissioner Laybourn said that was a private pit.

TOWN OF AKRON – Rob Hicks and Shane Watson

- Drops loads every day. The Town has two trucks so either way would work.
- Hicks asked about having a key and weigh themselves. Packer said the three businesses in the room would be the only ones the County would consider that for. One of the downsides of that would be getting stuck in the bottom and no one to help them out with the county equipment.
- Packer asked where the Town was with their budget and how soon would the County need to let them know what their decision was. Hicks said they are working on the final budget.
- It takes a full day to pickup inside the city limits of Akron so it is late when we drop load at the landfill. If people have to wait until the next day for us to pick up it would be ok.
- Hicks asked if the County has allowed for weather and wind when cutting days of operation.

There being no further business the meeting was adjourned.

Garland Wahl
Garland Wahl, Clerk of the Board

Terry G. Hart
Terry G. Hart, Chairman Board of County Commissioners