

KIT CARSON COUNTY COMMISSIONER

**MINUTES
MARCH 27, 2013**

8:00 A.M. WORK SESSION FOR COMMISSIONERS
8:00 A.M. REVIEW ACCOUNTS PAYABLES & PAYROLL
9:00 A.M. ADMIN SIDE ITEMS
9:30 A.M. READ MINUTES
10:00 A.M. TED FOTH – AMBULANCE ITEMS
12:00 P.M. LUNCH
1:00 P.M. PUBLIC HEARING ON USDA GRANT FUNDING FOR SHERIFF OFFICE
1:30 P.M. PUBLIC HEARING FOR PROPOSAL OF VACATING ROAD
2:00 P.M. REVIEW CONSENT AGENDA FOR APPROVAL
5:00 P.M. MEETING TO ADJOURN WHEN BUISNESS IS COMPELTE

NEW ITEMS:

- Flagler Tower – upsize LP tank
- Navaid agreement

SIGNATURES:

OLD ITEMS:

- LAST CHANCE/DIRT
- TC/IS Gravel Pit notices on hold – Eric Scott is working on different rules for county
- HUTF certification – Flagler annexations
- Gravel pit update

FYI:

WORK SESSION 8:00 A.M. – 12:00 P.M.

Meeting called to order by Chairman Dave Hornung at 1:00 P.M. Those present were Dave Hornung, Dave Gwyn, Paula Weeks, and Della Calhoon. Gary Koop was absent.

CONSENT AGENDA

Accounts Payable

Payroll

Wage Sheet for Ginny Halligan, Todd Trobee

DHS Budget Modification

Signature for Brake Training - Scott Tovrea

HUTF Annexations for Flagler - dismissed

Cobitco Bid

Flagler Tower- LP and cleanup

Clean up of county courthouse

Assessor's Jan/Feb report

Land use regs.

UHF radio to CDOT for Hwy. 385 project

Policy

PUBLIC HEARING – USDA GRANT

The Board of County Commissioners reviewed the request for a grant to assist with the purchase of equipment for investigations for the County Sheriff Department.

Dave Hornung called the public hearing to order at 1:00 P.M. Those present were Dave Hornung, Dave Gwyn, Paula Weeks, Della Calhoon and Sheriff Tom Ridnour. There was no one present from the general public.

Motion to close Public Hearing for the USDA Grant at 1:03 P.M. was made by Dave Gwyn, second by Dave Hornung.

TRI-STATE GENERATION – LAND USE REGULATIONS

ARTICLE 11 – TRANSMISSION LINES AND THE FINANCIAL ASSURANCE

Mike Barningham, Joel Ford, and Steve Gray with Tri-State Generation and Darrin Laverenz and Paul Norris with KC Electric met with the Board of County Commissioners. Mike had questions in regards to Article 11 Section 11-300 in regards to the transmission lines. Mike gave everyone present information on the following: Background on Tri-State, Background on Project, and Tri-State Responsibilities to Kit Carson County for the upcoming project. Tri-State is a non-profit organization. They have the money budgeted for the 230 kV Transmission Line. Mike reviewed that the: “Line will be constructed by a qualified construction contractor who will be required to provide a Contractor’s Bond to Tri-State to assure that it will perform and fulfill all of the requirements of the construction contract.” Tri-State will also make sure that all roads will be repaired to County specifications.

The Board of County Commissioners had discussed the financial security agreement with the Kit Carson County Planning Commission last week. Both the Planning Board and the Board of County Commissioners did not see a problem with the transmission line project.

Mike reviewed that they want to make sure that the construction done correctly since they will maintain the lines for years to come. The construction company will provide a contractor bond and asked that the Board of County Commissioners consider using this as the Financial Security.

Under **Section 11-300 A. Financial Security (1)** The applicant shall provide financial assurance in the form of one or more of the following, at the discretion of the Board of County Commissioners: letter of credit, self bond; a surety bond; a federally insured certificate of deposit; government-backed securities; or cash. Evidence of the selected form(s) of financial assurance shall be included with the application materials.

The Regulations stated that the Commissioner at their discretion can make a decision as to what type of Security will be accepted.

Motion to approve the contractors’ Construction Bond as a condition of County permit for a transmission line was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

Article 5-100 B. Eligibility to Apply: A Development Permit application may only be submitted by, or on behalf of, the owners of real property proposed for the use. (1.) **Applicant is Not the Owner.** If the applicant is not the owner of the property, or is a contract purchaser of the property, a letter signed by the owner consenting to the submission of the application shall be submitted.

Mike stated that they do not always get letters returned but will provide those that return their permission for the easement of the transmission line.

Mike reviewed that they would hold a hearing with the Kit Carson County Planning Board and another with Yuma County Planning Board and will notify each county when they have more specific information sometime in the middle of May 2013.

PUBLIC HEARING – PROPOSAL OF VACATING ROAD

Dave Hornung called the Public Hearing to order at 1:30 P.M. Those present were Dave Hornung, Dave Gwyn, Paula Weeks, and Della Calhoon for the County and from the general public: Mike Barningham, Joel Ford, and Steve Gray with Tri-State Generation and Darrin Laverenz and Paul Norris with KC Electric. Motion to open meeting for Public Hearing for the Proposal of Vacating a Portion of County Rd 50 was made by Dave Gwyn, seconded by Dave Hornung.

Steve Gray spoke to landowners and did receive approval for the development and expansion of the Waanibe Substation. Tri-State will purchase half of the road from both landowners.

13-12256

RESOLUTION TO VACATE A PORTION OF COUNTY RD 50

The Board of County Commissioners reviewed a resolution to vacate a portion of county Rd 50.

Motion to vacate that portion of County Rd 50 as follows: The entire County Rd 50, extending 400 feet north of the centerline of County Rd G as described as the area within 45 feet on either side of the north 400 feet of the east line of Section 31, which is also the west line of Section 32, both in Township 10 South, Range 43 West of the 6th P.M., Kit Carson County, Colorado, was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

STATE OF COLORADO)
)ss.
COUNTY OF KIT CARSON)

RESOLUTION NO. 13-1275

At a regular meeting on Wednesday, the 27th day of March, 2013, there were present:

Dave Hornung.....Chairman
Dave Gwyn.....Commissioner
Della Calhoon.....County Clerk
Paula Weeks.....County Administrator

when the following proceedings, among others, were had and done, to-wit:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF KIT CARSON COUNTY, COLORADO, VACATING THE A PORTION OF COUNTY ROAD 50

WHEREAS, the Board of County Commissioners of Kit Carson County, Colorado (the Board) has received a request from Tri-State Generation and Transmission Association, Inc. and K. C. Electric Association, Inc., requesting the vacation of a portion of County Road 50; and

WHEREAS, the Board has the authority to vacate county roadways or portions thereof pursuant to C.R.S.43-2-303 .; and

WHEREAS, public notice was published in the newspaper of general circulation within Kit Carson County notifying the public that a vacation of a portion or all of County Road 50 would be considered at the public hearing, and letters were mailed by certified mail to adjoining landowners; and

WHEREAS, the portion of County Road 50 under consideration for vacation has not been constructed or improved, and is not currently used as a roadway; and

WHEREAS, the proposed vacation will not leave adjoining landowners without an established roadway or private access easement connecting their land to a public road; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF KIT CARSON COUNTY, COLORADO AS FOLLOWS:

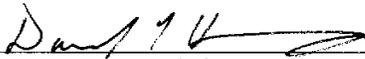
1. The entire County Road 50, extending 400 feet north of the centerline of County Road G, described as the area within 45 feet on either side of the south 400 feet of the east line of Section 31, which is also the west line of Section 32, both in Township 10 South, Range 43 West of the 6th P.M., Kit Carson County, Colorado, is hereby vacated, except for any portion thereof within the right-of-way of County Road G.
2. Title to the land included in the road vacated by this Resolution shall vest in the current owners of the abutting land as provided in Section 43-2-302, C.R.S.
3. The County Clerk shall record a copy of this Resolution in the records of the County Clerk and Recorder on or before seven days from the date of its adoption.

Res #19-22150

4. This Resolution shall be in full force and effect immediately upon its adoption and recording as provided herein.

DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 2 FOR AND
0 AGAINST THIS 3RD DAY OF March 2013.

**BOARD OF COUNTY COMMISSIONERS OF
KIT CARSON COUNTY, COLORADO**

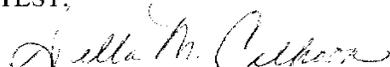


Dave Hornung, Chairman



Dave Gwyn, Commissioner

ATTEST;



Della Calhoun, Clerk & Recorder



Motion to close hearing at 1:40 P.M. was made by Dave Gwyn, seconded by Dave Hornung.

The Board of County Commissioners recessed at 1:40 P.M. to convene as the Board of Health and Human Services. Meeting called to order by Dave Hornung.

BUDGET MODIFICATION TO IMMUNIZATION CONTRACT

The Board of County Commissioners reviewed the addendum to the Immunization Contract which shows \$2781.00 be awarded to Kit Carson County Health Service. Motion to approve Budget modification in the amount of \$2781.00 was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

ORANGE SHEET

The Board of County Commissioners reviewed the Orange Sheet for Human Services for Virginia Halligan for a wage of \$30,865.20 was made by Dave Gwyn, seconded by Dave Hornung.

The Board of Health and Human Services recessed and reconvened as the Board of County Commissioners.

EXPENDITURES

The Board of County Commissioners reviewed expenditures for all funds. Motion to approve Expenditures for all funds was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

PAYROLL

The Board of County Commissioners reviewed payroll for all funds. Motion to approve Payroll for all funds was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

BRENDA CONDREY CONTRACT FOR KITCHEN SERVICE

Brenda Condrey met with the Board of County Commissioners and discussion was held in regards to her contract to provide meals for all inmates. Brenda had found that there was an error on the wage and asked the Board of County Commissioners to correct the wage. Motion to amend contract and correct wage was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

ORANGE SHEET

The Board of County Commissioners reviewed the evaluation for Todd Trobee six month trial period with increase annual wage to \$30,113.00 from \$28,800.00. Motion was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

ADDENDUM TO PERSONNEL POLICY

The Board of County Commissioners reviewed amendments to the personnel policy with the addition of 509 Maternal/Paternal Leave, 510 Return to Work, and 511 Domestic Abuse Leave Law.

Motion to approve addendum to Personnel Policy Parental was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

ADDENDUM TO KCC EMPLOYEE POLICY

509 MATERNAL/PATERNAL LEAVE

Maternal/Paternal leave of up to six (6) weeks time off is given to an employee, charged against an employee's accrued sick leave, annual leave, and/or compensation time, or approved leave without pay if accrued leave is not available. When possible, the request for parental leave must be submitted in writing to your supervisor at least thirty (30) days prior to the expected date you will need to take parental leave.

In the event that an employee finds that it is medically necessary to take more than six (6) weeks parental leave, you must submit a doctor's note that the additional leave is medically necessary. In addition, the doctor's note must state when you can reasonably be expected to return to work.

If additional leave is necessary, FMLA may be required. Refer to Section 502.

510 RETURN TO WORK

The Board of County Commissioners does not desire an employee to return to work when the employee is unable to perform his/her job duties, for reasons directly related to the employee's health. Therefore, the employee will, before returning to work after taking sick leave where a doctor's services were used, comply with the following provisions:

- a. Present to the employer a doctor's statement certifying that the employee is able to return to the employee's job and assigned duties;
- b. If the employee is able to return to work on a limited or restricted basis, the doctor's note needs to specifically set forth the job limitations and/or restrictions, all of which are directly related to protecting the employee's health. In addition, the employee's doctor must include in his/her statement when he/she believes the employee can reasonably be expected to return to their job and assigned duties without limitations and/or restrictions.

511 DOMESTIC ABUSE LEAVE LAW

Colorado Revised Statutes 24-34-402.7 permits an employee to request or take up to three (3) working days of leave from work in any twelve (12) month period, with or without pay upon the determination of the Board of County Commissioners, if the employee is the victim of domestic abuse, stalking, sexual assault, or any other crime related to domestic abuse. A copy of the police report may be required.

CHAPTER X ADOPTION

This personnel management handbook was amended on the 27th day of March, 2013 at Burlington, CO by the following:

Motion made by Dave Gwyn, seconded by Dave Hornung.

Motion carried by unanimous vote of _____.

Board of County Commissioners

By: Dave Hornung
Dave Hornung, Chairman

By: Dave Gwyn
Dave Gwyn, Commissioner

ATTEST:

Della M. Calhoon
Della Calhoon, County Clerk



STATE OF COLORADO)
)ss.
COUNTY OF KIT CARSON)

I, Della Calhoon, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the annexed and foregoing Resolution is truly copied from the Records of the Proceedings of the Board of County Commissioners of said Kit Carson County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County at Burlington, this 27th day of March, 2013.

Della M. Calhoon
Della Calhoon, County Clerk



COBITCO

The Board of County Commissioners reviewed bid for Chip and Seal and this was postponed until 2014.

DARCY JANSSEN – HWY 385 REPAIRS

Darcy reviewed that there will be repairs on Hwy 385 north of Burlington this year. Darcy thought that for better communication with dispatching for emergency services said that they could allow a radio to the project director. This would allow faster emergency response should there be a need. Motion to approve the issuance of a UHF radio for the construction period was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

MONTHLY REPORTS

The Board of County Commissioners reviewed the following monthly reports: County Assessor for the month of January and March, 2013.

MINUTES

The Board of County Commissioners read and made corrections to the March 20, 2013 minutes. Motion to approve the March 20, 2013 minutes was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

SHERIFF QUOTES

The Board of County Commissioners reviewed quotes for a GPS system that would assist in dispatching emergency personnel. Tom received the following bids:

Complete Wireless Technologies	\$16,168.28
PCS Mobile	\$17,409.81
EPCOM	\$15,567.90

Tom reviewed that Complete Wireless had provided a testing system and all seemed to work well for their use and asked that the Board of County Commissioners consider Complete Wireless Technologies bid.

Motion to award Complete Wireless Technologies Motorola Moto TRBO analog/digital mobile radio with display in the amount of \$16,168.28 was made by Dave Gwyn, seconded by Dave Hornung. Motion carried.

The Board of County Commissioners reviewed that this will be the last large purchase for this year for the sheriff office.

Meeting adjourned.

(SIGNED BY DAVE HORNUMG)

(04-17-2013)

Dave Hornung, Chairman

Date