

KIT CARSON COUNTY COMMISSIONERS

MINUTES OCTOBER 29, 2014

8:00 A.M. WORK SESSION

- Consent agenda
 - Payroll
 - Payables
 - Minutes
 - Side Items

11:00 A.M. JEFF CURE – COUNTY ATTORNEY WEEKLY MEETING

12:00 P.M. LUNCH

1:00 P.M. DOUG SATTERLY – CVP CONTRACT (IMMUNIZATIONS)

1:30 P.M. WORK SESSION

5:00 P.M. MEETING TO ADJOURN WHEN BUSINESS IS COMPLETE

Consent Agenda:

- Minutes
- Accounts Payable
- Payroll

NEW ITEMS:

- Copier maintenance agreement Admin
- Docutek maintenance agreement Clerk's Office
- L&M underground easement for fiber optic
- 2015 Staffing Contract for Emergency Manager
- Resolutions
- Purchase order for Courthouse Blinds

SIGNATURES:

OLD ITEMS:

- Independent Contractor Agreement for David Litteral and hazmat trailers. There may be concentrate in the trailers that are not to freeze? Possibly keep at the weed dist.

EMPLOYEE ITEMS:

- Orange Wage Sheet for Sheriff's Deputy
- New Jail hire
- Workman's comp update – Beck, Bellomy
- Unemployment Case

Meeting called to order by Chairman Gary Koop. Those present were Gary Koop, Dave Gwyn, Dave Hornung, Paula Weeks, and Della Calhoon.

CONSENT AGENDA

The Board of County Commissioners reviewed items on the consent agenda: Payroll, Accounts Payables and Minutes for October 22, 2014. Motion to approve consent agenda was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

MAINTENANCE AGREEMENT – OFFICE WORKS

The Board of County Commissioners reviewed a Maintenance Agreement for the Administration office copier for a rate of \$.0138 to .0143 per copy. Motion to approve the Maintenance Agreement with Office Works for the Richo MP 550SP copier was made by Dave Gwyn, seconded by Dave Hornung, motion carried by unanimous vote of Gary Koop.

PURCHASE ORDER – COURTHOUSE SHADES

The Board of County Commissioners reviewed the Purchase Order for window shades for the first and second floor from Select Blinds in the amount of \$3,261.72. Motion to approve purchase of window shades was made by Dave Gwyn, seconded by Dave Hornung, motion carried by unanimous vote of Gary Koop.

14-062

**RESOLUTION TO CORRECT AN EXPENDITURE THAT WAS PAID OUT OF THE
AMBULANCE FUND AND SHOULD HAVE BEEN PAID OUT OF THE
CONSERVATION TRUST FUND**

The Board of County Commissioners reviewed a resolution to correct an expenditure that was paid out of the Ambulance Fund and should have been paid out of the Conservation Trust Fund in the amount of \$9,000.00.

Motion to approve resolution to correct funds in the amount of \$9,000.00 was made by Dave Gwyn, seconded by Dave Hornung, motion carried by unanimous vote of Gary Koop.

RESOLUTION NO.14-062

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

At a regular meeting of the Board of County Commissioners for Kit Carson County, Colorado, held at the Court House in Burlington on Wednesday the 29th day of October, there were present:

- Gary Koop..... Chairman
- Dave HornungCommissioner
- Dave Gwyn..... Commissioner
- Della Calhoon County Clerk
- Paula Weeks.....Administrator

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

A RESOLUTION TO CORRECT AN EXPENDITURE THAT WAS PAID OUT OF THE AMBULANCE FUND AND SHOULD HAVE BEEN PAID OUT OF THE CONSERVATION TRUST FUND

WHEREAS, on September 10, 2014 a check for \$9,000.00 was errantly paid out of the Ambulance Fund (0055.7100) and should have been paid out of the Conservation Trust Fund (0090.7100) per Treasurer's receipt #15879.

NOW THEREFORE, be it resolved by the Board of County Commissioners of Kit Carson County that the County Treasurer transfer \$9,000.00 from the Conservation Trust Fund into the Ambulance Fund to correct this error.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION IS EFFECTIVE IMMEDIATELY THIS 29th day of October, 2014.

DONE THIS 29th day of October, 2014, at Burlington, Colorado.

Motion made by Dave Gwyn, seconded by Dave Hornung

Motion carried by unanimous vote of Gary Koop.

Board of County Commissioners

By: [Signature]
Gary Koop, Chairman

By: [Signature]
Dave Hornung, Commissioner

By: [Signature]
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 29th day of October, 2014.

Della M. Calhoon
Della Calhoon, County Clerk



ACCOUNT ADMIN
 PAMELA J. MILLS
 KIT CARSON COUNTY TREASURER
 P.O. BOX 396
 BURLINGTON, CO 80807

2014 MISCELLANEOUS RECEIPT

15879

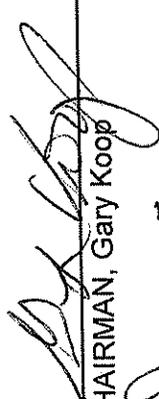
2014 0020.7100 COUNTY GENERAL FUND	WARRANTS	41,265.32CR (TRANSFER)
2014 0025.7100 KIT CARSON CTY PUBLIC HEALTH AGENCY	WARRANTS	67.90CR (TRANSFER)
2014 0040.7100 ROAD & BRIDGE	WARRANTS	61,550.16CR (TRANSFER)
2014 0100.7100 SOLID WASTE	WARRANTS	6,992.36CR (TRANSFER)
✓ 2014 0055.7100 AMBULANCE	WARRANTS	9,000.00CR (TRANSFER)

TRANSACTION DATE 09/10/2014 15:31 AMOUNT \$118,875.74CR

ADMIN A/P WEEK 09/10/2014

SCHEDULE OF BILLS

FOR 3-Sep-14
 DATE


 CHAIRMAN, Gary Koop


 Dave Gwyn


 David L. Hornung

FUND	
0020	\$ 41,265.32
0025	\$ 67.90
0040	\$ 61,550.16
0055	\$ 9,000.00 ✓
0090	
0100	\$ 6,992.36
0080	
0560	

0

\$ 118,875.74

EASEMENT OF RIGHT OF WAY – L&M UNDERGROUND INC.

The Board of County Commissioners reviewed an Easement and Right of Way for L&M Underground Inc. for the placement of a 2” fiber optic conduit. Line will run on Tri-State Generation and Transmission Association Inc. land in Section 18, Township 8, Range 43. Motion to approve Easement for fiber optic line was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

ORANGE SHEET

The Board of County Commissioners reviewed the orange sheet for Joye Devlin, Sheriff Department who has completed her trial period. Request to increase from \$15.06 per hour, annual salary \$31,331.06 to \$15.51 per hour with an annual wage of \$32,269.47. Motion to approve increase was made by Dave Gwyn, seconded by Dave Hornung, motion carried by unanimous vote of Gary Koop.

DOCUTEK – MAINTENACE CONTRACT

Della Calhoon presented a Maintenance Contract with DocuTek for the micro film reader/printer in the County Clerk’s Office in the amount of \$995.00 for one year.

Motion to approve Maintenance Contract with DocuTek in the amount of \$995.00 was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

14-063

RESOLUTION TO RESCIND A DRUG AND ALCOHOL POLICY FOR KIT CARSON COUNTY TO INCLUDE RANDOM TESTING FOR ALL EMPLOYEES THAT WAS ADOPTED ON OCTOBER 1, 2014

After review it was found that the policy that was passed on October 1, 2014 needed to be rescinded. Motion to approve this resolution was made by Dave Gwyn, seconded by Dave Hornung, motion carried by unanimous vote of Gary Koop.

RESOLUTION NO. 14-063

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

At a regular meeting of the Board of County Commissioners for Kit Carson County, Colorado, held at the Court House in Burlington on Wednesday the 29th day of October, there were present:

- Gary Koop..... Chairman
- Dave HornungCommissioner
- Dave Gwyn..... Commissioner
- Della Calhoon County Clerk
- Paula Weeks.....Administrator

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

A RESOLUTION TO RESCIND A DRUG AND ALCOHOL POLICY FOR KIT CARSON COUNTY TO INCLUDE RANDOM TESTING FOR ALL EMPLOYEES THAT WAS ADOPTED ON OCTOBER 1, 2014

WHEREAS, the following drug and alcohol policy was determined to have several typographical errors as marked;

DRUG AND ALCOHOL POLICY

I. Purpose

Kit Carson County (hereinafter referred to as the "County") is committed to a safe, healthy, and productive work environment for all employees free from the effects of substance abuse. Abuse of alcohol, drugs, and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision-making.

II. Scope

This policy applies to all employees. The type of testing is contingent upon whether the employee is considered safety sensitive. Safety sensitive employee is defined as any employee whose duties involve risk of injury or harm to the general public. All safety sensitive employees have been issued upon initiation of this policy or upon hire (whichever is later) a copy of the County's policy, describing in detail what substances will be tested for and under what conditions employees will be tested.

III. Statement of Policy

To ensure a safe and productive work environment the County prohibits the use, sale, dispensation, manufacture, distribution or possession of alcohol, drugs or controlled substances on any County premises or worksites. This prohibition includes County owned vehicles, or personal vehicles being used for County business or parked on County property.

No employee shall report to work or be at work with alcohol or with any detectable amount of prohibited drugs in the employee's system. (A detectable amount refers to the standards generally used in workplace drug & alcohol testing).

Employee shall, when drugs are prescribed by a medical professional, inquire of the prescribing professional whether the drug prescribed has any side effects which may impair the employee's ability to safely perform the employee's job duties. If the answer from the medical professional is yes, the employee shall obtain a statement from the medical professional indicating any work restrictions and their duration. The employee shall present that statement to his or her supervisor prior to going on duty.

Illegal use of drugs off duty and off County premises or work sites is not acceptable. It can affect on-the-job performance and the confidence of the public, and our customers in the company's ability to meet its responsibilities.

Any violation of this policy will result in disciplinary action up to and including termination.

IV. Categories of Employee Substance Testing

All employees will be subjected to the following testing:

- A. Pre-employment Testing:

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1. All persons seeking employment with the County, Applicants shall undergo post-offer, pre-employment drug testing. Applicants will be informed that, as a condition of employment, they must pass a drug-screening test.
2. Applicants who test positive will be notified that they have not met the standards for employment and of their right to request a re-test of the urine sample that can be reviewed by a Medical Review Officer (MRO).

B. Reasonable Suspicion Testing:

Any employee may be asked to submit to tests for alcohol and/or illegal drugs when the employee is reasonably suspected of being impaired in the performance of his or her job.

1. Reasonable suspicion testing may result from one of the following examples, but is not limited to the following:
 - a. Specific, personal and articulable observations concerning the appearance, behavior, speech or performance of the employee; or
 - b. Violation of a safety rule, or other unsafe work incident which, after further investigation of the employee's behavior, leads the supervisor(s) /manager(s) to believe that the employee's functioning is impaired; or
 - c. Other physical, circumstantial, or contemporaneous indicators of impairment.
2. When a supervisor/manager has reasonable suspicion to request testing, the supervisor/manager will arrange to transport the employee to the collection site, and will arrange for the employee's transport home.
3. The employee will continue in a paid status pending the receipt of drug testing results by the authorized testing laboratory.

1. **Post-Accident Testing**

Any driver (in any county vehicle or in personal vehicle on county time, hereinafter referred to as "Any driver") involved in an accident in which a fatality occurs must immediately submit to a controlled substance and an alcohol test. Any driver who receives a citation for a moving traffic violation must immediately submit to a controlled substance test and an alcohol test if, (a) the accident results in a fatality, or bodily injury to a person who must immediately receive medical treatment away from the scene, or (b) one or more of the vehicles involved is towed from the scene.

The County can require testing even if a citation is not issued to the driver, upon its independent authority, in the situations as outlined above.

The testing provisions that apply to employees and applicants for safety sensitive employment are outlined in the County's D.O.T. Drug and Alcohol Policy.

VI. The kinds of substances tested for will include the following substances or their metabolites:

- A. Marijuana
- B. Cocaine
- C. Opiates
- D. Phencyclidine (PCP)
- E. Amphetamines
- F. Alcohol

VII. Inspection and Searches

The County may conduct unannounced inspection for violations of this policy in the workplace, worksites, or County premises.

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Employees are expected to cooperate in any inspection.

VIII. Voluntary Treatment

The County supports sound treatment efforts. Whenever practical, the County will assist employees in overcoming drug, alcohol, and other problems which may affect employee job performance, as long as this policy has not already been violated. If an employee seeks treatment for drug or alcohol use, the employee may be eligible to go into a drug and/or alcohol treatment program either through the County's medical insurance program or at his or her own expense. If the employee elects to enter an appropriate treatment program, the employee may be placed on unpaid status, but will be required to use any accrued vacation time and sick leave while participating in the evaluation and treatment program, so long as the employee is complying with the conditions of treatment. The County will have the right to require verification from the health care provider for a release to work and/or verification of treatment as covered in the County's medical leave policies. More information regarding availability of treatment resources and possible insurance coverage for treatment services is available from the Human Resources Office.

IX. Safeguards/Confidentiality

The drug screen analysis is accomplished through split sample urinalysis testing. Alcohol testing may be through breath testing. Samples will be collected in a sanitary environment designed to maximize employee's privacy while minimizing the possibility of sample tampering. If there is a positive drug and/or alcohol result on the initial screening test, the laboratory or blood alcohol technician will automatically do a second test to confirm the results. The second drug test will be performed using gas chromatography/mass spectrometry or other scientifically accepted method. A positive breath alcohol test will be confirmed by a second breath test.

All drug tests are performed by a government-certified outside laboratory. All government-certified outside laboratories strictly follow chain of custody guidelines to ensure the integrity of the testing process. The County shall use a Medical Review Officer (MRO) who will receive the laboratory results of the testing procedure. The MRO shall be a licensed physician and have knowledge of substance abuse disorders and the appropriate medical training to evaluate positive results, medical histories, and any other relevant biomedical information. The MRO shall review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication.

If the results of the initial test are negative, the testing laboratory will report the results to the MRO retained by the County. The MRO or the testing laboratory reports the negative results to the company. In this instance, no additional tests on the specimen will be done.

If the results of the initial test are positive, that is, if the results exceed the permitted levels for any of the five drugs tested or if the blood alcohol test comes back positive, a second confirmatory test shall be performed. ~~The employee is prohibited from performing any duties if the initial test is positive, and while the confirmatory testing is being performed. Only specimens that are confirmed positive on the second (confirmatory) test are reported positive to the MRO for review and analysis.~~ The MRO will contact the employee personally, in the case of a positive test result. The MRO has the responsibility of reporting to the County whether the test results are positive or negative.

An applicant or employee who does not pass a drug test may request that the original sample be analyzed again at the individual's expense by a government certified laboratory. All requests for an independent analysis must be made in writing within 72 hours of notification of a confirmed positive test result. In the event the drug and/or alcohol test results are not achieved due to a diluted sample, the applicant will be required to re-test.

Each applicant or employee will have an opportunity to discuss the drug and/or alcohol test with a Medical Review Officer in a confidential setting. Each applicant or employee upon his or her request may be provided with a written copy of the positive test result, upon written request. Upon written request within seven days of taking the test an employee may access records relating to his drug and/or alcohol test.

X. Disciplinary Action

- A. Testing Positive: Employees who test positive for drugs or alcohol are in violation of this policy.
- B. Refusal to Comply: Employees who refuse required testing are in violation of this policy.
- C. Interference with Testing: Employees who adulterate, tamper with or otherwise interfere with accurate testing are in violation of this policy.

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D. Any employee, who has been observed using or possessing illegal drugs or alcohol during work time, including lunch breaks, or on the County's premises is in violation of this policy.

XI. **At-Will Employment**

Nothing in this policy is to be construed to prohibit the County from maintaining a safe and secure work environment or to limit its right to impose disciplinary actions as it may deem appropriate for reasons of misconduct or poor performance, regardless of whether the misconduct or poor performance arises out of the use of alcohol or drugs. Such disciplinary actions may include termination of employment. **Employment with Kit Carson County is "at-will." Employees have the right to end their work relationship with the County, with or without advance notice for any reason. The County has the same right.**

ACKNOWLEDGMENT

I have received a copy of Kit Carson County's Drug and Alcohol Policy and understand that in order to continue my employment with this employer I must abide by the terms of the policy. ~~I agree to notify the employer of any drug violation occurring in the workplace.~~

I understand that this policy in no way modifies my status as an at-will employee and in no way implies, infers, or guarantees my continued employment for any definite term.

Employee

Date

RESOLUTION NO. 14-063

NOW THEREFORE, be it resolved by the Board of County Commissioners of Kit Carson County that this policy is rescinded for all employees and replaced with a corrected policy.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION IS RESCINDED IMMEDIATELY THIS 29th day of October, 2014.

DONE THIS 29th day of October, 2014, at Burlington, Colorado.

Motion made by Dave Gwyn, seconded by Dave Hornung.

Motion carried by unanimous vote of Gary Koop.

Board of County Commissioners

By: [Signature]
Gary Koop, Chairman

By: [Signature]
Dave Hornung, Commissioner

By: [Signature]
Dave Gwyn, Commissioner

ATTEST:

[Signature]
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 29th day of October, 2014.

[Signature]
Della Calhoon, County Clerk



OEM (OFFICE OF EMERGENCY MANAGEMENT) CONTRACT WITH THE STATE OF COLORADO

The Board of County Commissioners reviewed the Office of Emergency Management Program Funding for FFY2015. This is for the Jurisdiction of Kit Carson County in the amount of \$23,700.00 of which one half (\$11,850.00) will be covered by Federal reimbursement.

Motion to approve was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

MOLLY WITZEL – RESIGATION

Molly met with the Board of County Commissioners and presented her resignation effective as of January 2, 2015. Molly accredited her position to her experience in the 4-H program.

MONTHLY REPORTS

The Board of County Commissioners reviewed the following monthly reports: County Financials report for the month of August 2014

JEFF CURE – COUNTY ATTORNEY

Jeff met with the Board of County Commissioners and reviewed that he has been attending some of the hearings with the Court of Appeals for Safeway. Jeff reviewed that Abbey put the information that was given to her by Safeway and believes that Safeway may try to settle before counties go to hearing. Jeff reviewed that there are 34 counties in this appeal case.

The Board of County Commissioners recessed to go into work session at 11:10 A.M.

The Board of Health and Human Services convened at 1:00 P.M.

DOUG SATTERLY

Doug met with the Board of Health and Human Services and reviewed that they had received the Cost Allocation from Ronny Farmer. This was sent to the State who found an error on the report. This was sent to Ronny to be amended and the percentage rate will now be at 21.86%

CREDIT CARD FOR DOUG SATTERLY FOR PUBLIC HEALTH

The Board of County Commissioners reviewed a request for the issuance of a County credit card issued to Doug Satterly. Motion to approve the issuance of a credit card up to \$2,000.00 to Doug Satterly was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

CVP IMMUNIZATION CONTRACT

Doug reviewed that the original contract was low and will increase \$3,878.00 to the end Dec. 31, 2014. Funds must be expended by the end of the contract.

Motion to approve Immunization contract to Dec. 31, 2014 was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

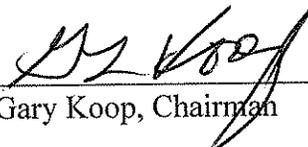
Board of Health and Human Services recessed and convened as Board of County Commissioners at 1:25 P.M.

BREANNA LIGHTLE – AMBULANCE SERVICE

Breanna Lightle and Nicole Richards met with the Board of County Commissioners and reviewed the following:

- 1) Stratton crew meet and there are two couples that do not have children at home and would like to continue to take call but would like to sign a waiver that releases them of this policy. Motion to allow waiver that is signed by employee was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.
- 2) Dr. Steinbrenner will be coming for training on Nov. 15, 2014 and all staff will meet him.
- 3) Breanna met with the KCC Hospital trauma staff. . Kristi is willing to assist with training and also volunteered to have Cindy McCombs come in and work with her to make sure they are working together and understand what is needed. There were two runs back to back on Monday and this did not create a shortage.
- 4) ESO – Brenna stated that they have tried the Free State program for their trip sheets and will continue with this instead of renewing the contract with ESO.
- 5) Stryker – Breanna reviewed the power load and cots and there will be a price increase each year and suggested that one be purchased this year and held until we receive a new ambulance. Two power loads and two cots cost would be \$79,000.00 and possibly go to \$82,000.00. Breanna stated that Stryker could ship the cot to Burlington Ambulance and the lift to the manufacturer where the ambulance is being built. Board of County Commissioners is concerned that we need a new ambulance before the power cot.
- 6) Talked to the EMT applicant and after discussion was held found that there is no one here that he could be mentored by and that the ambulances are not stocked for a Paramedic. Would need to update some of the equipment inside such as the Life Pack. May need to look at a 5 year plan and what all equipment would be needed for a Paramedic service.
- 7) Brenna had talked with Cindy McCombs and what they expect for the service in Stratton. Cindy could be on call in Stratton and would do the upkeep of the equipment and would come to Burlington when one of the girls need a day off. Cindy is also willing to come to the hospital for training. Cindy is a CPR instructor and will get certified to train the EMT's.
- 8) **ORANGE SHEET** Motion to offer a full time position plus run pay for after hours to Cindy McCombs at a rate of EMS ALS 10.66 per hour, annual wage of \$22,172.8 for a 6 month trial period with a waiver for Health insurance was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

Meeting adjourned.



Gary Koop, Chairman

11-5-14
Date