

**KIT CARSON COUNTY COMMISSIONER**

**MINUTES  
NOVEMBER 5, 2014**

- 8:00 A.M. WORK SESSION**  
**10:00 A.M. CONSENT AGENDA**  
**10:30 A.M. TOM RIDNOUR – REVIEW CITY’S PROPOSED CONTRACT**  
**11:00 A.M. JEFF CURE – COUNTY ATTORNEY**  
**12:00 P.M. LUNCH**  
**1:00 P.M. RANDY GORTON – LANDFILL**  
**2:00 P.M. RANDY GORTON – ANNUAL EVALUATION**  
**2:30 P.M. KINDRA MULCH – ANNUAL EVALUATION**  
**3:00 P.M. DAVE WEBER – ANNUAL EVALUATION**  
**3:30 P.M. TERRY HUBBELL – ANNUAL EVALUATION**  
**4:00 P.M. BREANNA LIGHTLE – EVALUATION**  
**4:30 P.M. NICOLE RICHARDS – EVALUATION**  
**5:00 P.M. MEETING ADJOURN WHEN BUSINESS IS COMPLETE**

Consent Agenda Items:

- Minutes
- Accounts Payables

New Items:

- 2015 Calendar and Storm Chain
- 2015 Board Chairman
- Budget Items – Veteran’s Office  
No money coming in from state  
Reports have not been signed for 2013 may-may 2014  
Contract – 2 years
- Winterset Concert Events
- Ag Power Equipment Letter
- Fairview Cemetery Board Renewal – David Statler
- Dispatch for City of Burlington request of \$50,000.00

Signatures:

- Med-Trans Contract
- Centennial Mental Health Contract
- 2015 Drug and Alcohol Policy
- October Treasurer’s Report
- October Clerk’s Report

Old Items:

- Draft Personnel Policy 2015
- Ambulance Advertisement
- Centennial Mental Health Contract
- Fairgrounds Roof Bids

Employee Items:

- Linked in networking – can we allow this on County Computers?

FYI:

- Copier – replacement for Admin
- IT budget

Meeting called to order by Chairman Gary Koop at 9:30 A.M. Those present were Gary Koop, Dave Hornung, Dave Gwyn, Paula Weeks, and Della Calhoon.

**BIDS – ROOF REPAIRS AT FAIRGROUNDS**

Paula reviewed that she had received two bids for the roof repairs for the carousel, gazebo and restrooms.

Reents Construction LLC	1) Malarkey shingles	\$15,510.00
Davis Construction	2) Malarkey shingles	\$17,455.55

These bids will be reviewed by the Carousel Association and returned to the Board of County Commissioners. The Board of County Commissioners will consider what the Carousel Association recommends and will make a decision next week.

**CONSENT AGENDA**

The Board of County Commissioners reviewed the following on the consent agenda: Accounts Payables and Minutes from Oct. 29, 2014. Motion to approve consent agenda for accounts payables and Minutes for Oct. 29, 2014 was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

**TOM RIDNOUR – SHERIFF**

Tom asked if he could get a TV mounted in the lobby. This would assist to keep children occupied while parents are doing visitation. The Board of County Commissioners approved the purchase of a TV for the lobby area.

Tom met and discussion was held in regards to the City of Burlington request to lower the amount to the county for dispatch to \$50,000.00.

The Board of County Commissioners also discussed that a contract for services be created and that this be signed by the Board of County Commissioners, Burlington Councilman, Sheriff and Burlington PD. Board of County Commissioners will discuss this and make Tom aware of their decision for the City of Burlington.

**MONTHLY REPORTS**

The Board of County Commissioners reviewed the following reports: County Treasurer for the month of October, 2014

**14-064**

**A RESOLUTION TO ADOPT A DRUG & ALCOHOL POLICY FOR KIT CARSON COUNTY TO INCLUDE RANDOM TESTING FOR ALL EMPLOYEES**

The Board of County Commissioners reviewed the amended Drug and Alcohol Policy and reviewed the changes that were made to a previously policy.

Motion to adopt and enter into a Drug and Alcohol Policy for Kit Carson County to include random testing for all employees was made by Dave Hornung, seconded Dave Gwyn, motion carried by unanimous vote of Gary Koop.

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 5th day of November, there were present:

- Gary Koop..... Chairman
- Dave Hornung .....Commissioner
- 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 ADOPT A DRUG AND ALCOHOL POLICY FOR KIT CARSON COUNTY TO INCLUDE RANDOM TESTING FOR ALL EMPLOYEES AS DEFINED BELOW:**

**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 and may include termination as determined upon review by board of all Kit Carson County elected officials.**

**IV. Categories of Employee Substance Testing**

All employees will be subjected to the following testing:

A. Pre-employment Testing:

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. Random Testing:

1. All employees will be subject to random drug and alcohol testing.
  - A pool of all employees, part-time and full time will be created.
  - 25% of all employees will be pulled for random testing annually.
  - Employees must be on shift to be called for testing.
  - Employees must go immediately for testing when called.

C. 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.

**C. 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 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.

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

- A. Cannabinoids – Marijuana, Hashish, Hashish Oil
- B. Cocaine
- C. Opiates – Morphine, Heroin, Codeine, Hydromorphone, Oxycodone
- D. Phencyclidine – PCP, Angel Dust
- E. Amphetamines – Desoxyn, Dexedrine
- F. Barbiturates – Phenobarbital, Secobarbital, Phentobarbital, Amobarbital, Butalbital
- G. Benzodiazepines – Chlordiazepoxide, Diazepam, Oxazepam, Lorazepam, Fluazepam, Clorazepate
- H. Methadone
- I. MDMA –Ecstasy
- J. Propoxyphene - Darvon
- K. Alcohol

**VII. Inspection and Searches**

The County may conduct unannounced inspection for violations of this policy in the workplace, worksites, or County premises. 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 will be done 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 breath 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 alcohol test will be confirmed by a second 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 3<sup>rd</sup> party testing unit. 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 breath alcohol test comes back positive, a second confirmatory test shall be performed. The MRO will contact the employee personally, in the case of a positive test result. The MRO has the responsibility of reporting to the 3<sup>rd</sup> Party testing unit 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.
- 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 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 Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Signature



**14-065**

**A RESOLUTION TO CORRECT AN EXPENDITURES OUT OF THE PUBLIC HEALTH FUND AND SHOULD HAVE BEEN TAKEN OUT OF THE SOCIAL SERVICE FUND**

The Board of County Commissioners reviewed a resolution to correct an error where expenditures were taken out of Public Health and should have come out of the Social Services Fund in the amount of \$15.00.

Motion to approve resolution to correct expenditure to the correct fund was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

RESOLUTION NO. 14-065

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 5th day of November, there were present:

- Gary Koop..... Chairman
- Dave Hornung .....Commissioner
- 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 OUT OF THE PUBLIC HEALTH FUND AND SHOULD HAVE BEEN TAKEN OUT OF THE SOCIAL SERVICE FUND**

**WHEREAS**, on the August 20, 2014 schedule of bills, treasurer's receipt #15468, an expenditure for \$15.00 was errantly coded to the Public Health Fund (0025.7100) and should have been coded out of the Social Services Fund (0060.7100);

**NOW THEREFORE**, be it resolved by the Board of County Commissioners of Kit Carson County that the County Treasurer transfer \$15.00 from the Social Services Fund into the Public Health Fund to correct this error.

**BE IT FURTHER RESOLVED THAT THIS RESOLUTION IS EFFECTIVE IMMEDIATELY THIS 5th day of November, 2014.**

**DONE THIS** 5th day of November, 2014, at Burlington, Colorado.

Motion made by Dave Hornung seconded by Dave Gwyn.

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 5th day of November, 2014.

*Della M. Calhoon*  
Della Calhoon, County Clerk



Resolution No 14-065

SCHEDULE OF BILLS

FOR 20-Aug-14 DATE

*[Signature]*  
CHAIRMAN, Gary Koop

*[Signature]*  
Dave Gwyn

*[Signature]*  
David L. Hornung

ACCOUNT ADMIN	2014 MISCELLANEOUS RECEIPT	#	TRANSACTION DATE	AMOUNT
PAMELA J. MILLS KIT CARSON COUNTY TREASURER P.O. BOX 396 BURLINGTON, CO 80807		15460	09/20/2014	432,298.4500
2014 0020.7100 COUNTY GENERAL FUND	WARRANTS	22,604.2000		(TRANSFER)
2014 0025.7100 KIT CARSON CITY PUBLIC HEALTH AGENCY	WARRANTS	9,186.3700		(TRANSFER)
2014 0040.7100 ROAD & BRIDGE	WARRANTS	578.2500		(TRANSFER)
2014 0055.7100 AMBULANCE	WARRANTS	778.7700		(TRANSFER)
2014 0100.7100 SOLID WASTE	WARRANTS	150.8600		(TRANSFER)

### **MAINTENANCE CONTRACT – OFFICE WORKS FOR COPIER AT FAIRGROUNDS**

The Board of County Commissioners reviewed a Copier Maintenance Agreement from Office Works and Home Furnishings, Inc. for the Richo Aficio 2020 Copier at a rate of \$0.0210 for 18,000 copies and the an overage rate of \$0.0177. Motion to enter into contract with Office Works for the Fairgrounds copier was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

### **MAINTENANCE CONTRACT – OFFICE WORKS FOR COPIER AT HEALTH AND HUMAN SERVICES**

The Board of County Commissioners reviewed a Copier Maintenance Agreement from Office Works and Home Furnishings, Inc. for the Richo Aficio 1015 Copier at a rate of \$0.0148 for 18,000 copies and the an overage rate of \$0.0113. Motion to enter into contract with Office Works for the Health & Human Services copier was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

### **REQUEST FOR COUNTY STAFF TO USE LINKEDIN**

Board of County Commissioners reviewed the request that County Staff and computers be allowed to use the program LinkedIn. Board of County Commissioners stated that this is not a needed and will not approve this program.

### **MED-TRANS CORPORATION – AGREEMENT FOR GROUND TRANSPORTATION**

The Board of County Commissioners reviewed an agreement with Med-Trans Corporation and the Kit Carson County Ambulance Service. With this agreement Med-Trans Corporation will compensate Provider for performing the Ground Transport Services in accordance with the processes set by Med-Trans. This agreement shall be for one year, commencing upon signature by both parties. Either party may terminate the agreement immediately upon written notice for a breach by the other party or with 60 days advance written notice to the other party for any reason.

Motion to enter into agreement with Med-Trans Corporation was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

The Board of County Commissioners recessed and went into work session at 2:00 P.M.

Board of Health and Human Services convened at 2:24 P.M.

### **KINDRA MULCH – HEALTH AND HUMAN SERVICES**

#### **Agenda**

##### **FINANCIALS:**

- Human Services correct August financials

##### **ACTION ITEMS:**

- Approve hiring Soraya Frank (see attachment)

##### **Personnel updates:**

- Orange Sheet for Andrea Jenkins

##### **INFORMATION:**

- Vicky Kosch increase in compensation to \$22.50/hr beginning 2015

##### **CONTRACT:**

- Connect for Health, we have received the offer of contract extension, there is a conference call scheduled for Nov. 13<sup>th</sup> to review the 2015 scope of work. The contract will be presented for information within next two weeks. The due date is Nov. 28<sup>th</sup>.
- Core Program Area 3 contract with Centennial Mental Health; this contract compliments the 4 county Core contract with CMH. It is specifically for prevention services for youth, the funds come from KCCHHS Core Services Budget (these are federal dollars). This is for the period June 1, 2014 thru May 31, 2015.

Kindra met and presented corrections to the financials.

Kindra held interviews for a case worker – recommended to hire Soraya Frank as the new case worker. Soraya will work in Health & Human Services – Children, Youth & Family Services and Adult Protection Services. Will finish education in 2015. Offered her the position at \$31,000.00 upon completion of training and end at \$36,000.00. After checking the step-in Grade scale wages were changed and will begin at 68-1 \$30,565.45 and then 6 months move to 72-1 \$33,738.54 and after one year the final wage would be 72-1 \$34,750.69.

Andrea Jenkins has finished her three month trial period. Kindra had told Andrea it would be a three month trial period.

The Board of Health and Human Services said that the policy for trial period is for six months and not three months.

Kindra stated that she had told Andrea when she was hired is was for only a three month period and would ask the Board of Health and Human Services to allow the three month trial period for Andrea.

### **Connect for Health**

Received the offer of a contract extension. Conference call scheduled for Nov. 13, 2014 and look at the scope of work

### **CORE PROGRAM AREA 3**

Kindra reviewed that they received a waiver in an amount up to \$4,000.00 and is not a part of other CORE services.

Kindra will bring back the Connect for Health and Core Program Area 3 with more information to the Board of Health and Human Services in the next couple of weeks.

The Board of Health and Human Services recessed from Board of Health and Human Services and entered into work session.

Board of County Commissioners convened at 3:30 P.M.

### **TERRY HUBBELL – WEED DISTRICT**

Terry met with the Board of County Commissioners and gave a review of the Weed District. Terry stated that they were able to cover the entire county. They had to spray the Canadian Thistle twice in some locations. Terry also reviewed that he would like to cut down the Cottonwood trees at the fairgrounds that have died due to drought conditions.

Terry has talked to Zeb at District #1 and will work with them when he is called during the winter months. Terry will help with driving a truck or operating equipment.

Terry reviewed that the newer ford that is having computer problems and will take to Burlington Ford. The older 92 Ford has had parts taken off and would recommend that this unit be sold. Terry will bring this over to District 1 and will take to the auction.

**BREANNA LIGHTLE – TRANS-MED CONTRACT**

Breanna met with the Board of County Commissioners and reviewed the contract that will assist getting staff trained. Training hours go toward certification when they ride along.

KC 10 is leaking transmission fluid again and Max Wrench believes there is a crack in the housing. Cost to have this unit fixed would be from \$3,000.00 to \$5,000.00. This unit is not used as much but not sure if we want to put the money into repairs.

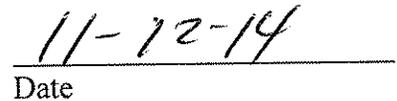
**CITY OF BURLINGTON – COUNTER PROPOSAL FOR DISPATCH**

The Board of County Commissioners reviewed several options for the City of Burlington Dispatch reimbursement for 2015. The Board of County Commissioners had received a request that the City of Burlington is requesting the reimbursement be lowered to \$50,000.00 for a five year period.

Motion to propose to the City of Burlington for dispatch reimbursement at \$60,000.00 Jan 1, 2015, \$70,000.00 Jan. 1, 2016, \$80,000.00 Jan. 1, 2017, \$90,000.00 Jan. 1, 2018 and then \$100,000.00 on Jan. 1, 2019 and re-negotiate on July 1, 2019. The Board of County Commissioners will have Jeff Cure, County Attorney draft a contract that will be reviewed by both parties and enter into by Jan. 1, 2015 was made by Dave Hornung, seconded by Dave Gwyn, motion carried by unanimous vote of Gary Koop.

Meeting adjourned.

  
\_\_\_\_\_  
Gary Koop, Chairman

  
\_\_\_\_\_  
Date