

KIT CARSON COUNTY COMMISSIONERS

MINUTES July 29, 2015

8:00 AM WORK SESSION
10:00 AM COMMISSIONER MEETING TO CONVENE
10:30 AM SAFEWAY PERSONAL PROPERTY APPEAL
11:00 AM JEFF CURE – COUNTY ATTORNEY WEEKLY MEETING
12:00 PM MEETING TO ADJOURN WHEN BUSINESS IS COMPLETE

CONSENT AGENDA:

- Accounts Payable
- Minutes –July 22, 2015
- Payroll

NEW ITEMS:

- Purchase order for Coroner PC
- Easements for Saddlehorn Pipeline

SIGNATURES:

July Report for VSO 1st half of year funding received from VA \$600.00
CBOE letters/Stipulation/Resolution as needed

OLD ITEMS:

Public Health Office Policies

EMPLOYEE ITEMS:

Della-Policy and Procedure class training seminar brochure for August 20-21

FYI:

1. County Elected Official's Salary Memo
2. Fiscal YE close problems at the state offices have slowed payments, such as CTF. That payment will be made at the end of September. Other state payments will be slow as well.
3. Meeting reminder for CDHS Summer Planning Tour 2015 with Reggie Bicha
Monday August 3rd at 8:00am
Burlington Community Center, Rec Room
340 South 14th Street
4. 2015 Budget 101 Class in Seibert August 4 my cost \$25.00-it doesn't show a cost for Elected Officials

The Board of County Commissioners meeting was called to order by Chairman Gary Koop at 9:45 A.M. Those present were Gary Koop, Cory Wall, Dave Hornung, Paula Weeks and Patty Witzel.

CONSENT AGENDA

The Board of County Commissioners reviewed the following items: Accounts Payables and Payroll.

Cory Wall moved to pay the Accounts Payable and Payroll, seconded by Dave Hornung. The motion was carried by unanimous vote by Gary Koop.

2015 HUTF TAX

Pam Mills, Kit Carson County Treasurer, presented to the Board of County Commissioners the 2015 HUTF Tax.

LEAP SERVICE CONTRACT

Dave Hornung moved to sign Purchase of Service Contract LEAP Eligibility Services between Kit Carson, County, and Discover GoodWill of Southern and Western Colorado. This contract will be effective from October 1, 2015 until September 30, 2015, seconded by Cory Wall. Motion carried by unanimous vote of Gary Koop.

SIGNAL BEHAVIORAL HEALTH NETWORK

Dave Hornung moved to sign Signal Agreement between Cheyenne, Elbert, Kit Carson, and Lincoln County Department(s) of Human Services, seconded by Cory Wall. Motion carried unanimously by Gary Koop.

COPIER MAINTENANCE AGREEMENT HEALTH & HUMAN SERVICES

Cory Wall made motion to approve Copier Maintenance Agreement with Office Works and Kit Carson County Health and Human Services for Ricoh Copier Model MP2851Sp, seconded by Dave Hornung. Motion carried by unanimous vote by Gary Koop.

COUNTY VETERANS SERVICE OFFICER-GLEN MARCINIAK

Glen Marciniak presented the Veterans Service Officer monthly report and certification of pay.

HEALTH & HUMAN SERVICES-CITY OF BURLINGTON WATER CONCERNS

Kindra Mulch and Dawn James informed the Board of County Commissioners about a notice they received on issues with City of Burlington's water.

PURCHASE ORDER #72-CORONER-RANDY GORTON

Cory Wall made motion to approve purchase of Toshiba Laptop A50-ASMBNX9 for total of \$827.00, seconded by Dave Hornung. Motion carried by unanimous vote of Gary Koop.

PURCHASE ORDER #73-ANTI VIRUS

Cory Wall made motion to approve AVG Anti-Virus Business Edition, total \$3510.49 , seconded by Dave Hornung. Motion carried by unanimous vote by Gary Koop.

PURCHASE ORDER #74-HEALTH & HUMAN SERVICES

Cory Wall made motion to purchase 5 Nexplanon Implants, \$325.00 unit price for total \$1625.00, seconded by Gary Koop. Motion carried. Dave Hornung voted no.

PURCHASE ORDER #75-HEALTH & HUMAN SERVICES

Cory Wall made motion to purchase 1 box of 25 vials Depo Provera, unit price \$25.28, Total of \$632.10. Gary Koop seconded. Motion carried. Dave Hornung voted no.

EASEMENTS-SADDLEHORN

Seventy-four easements as listed below were received from Saddlehorn, signed and recorded.

NAME	LEGAL
DOROTHY NICHOLS	S6,T6S, R50W
CARLIN STRATTON	S5,T6S, R50W
WELLS FARGO/WALTER TIMM ESTATE	S5,T6S, R50W
CORY MCCAFFREY	S4,T6S, R50W
ROSALEE LOUTZENHISER REV TRUST	S10, T6S, R50W
AW KASTEN	S11, T6S, R50W
AW KASTEN	S11, T6S, R50W
CORY MCCAFFREY	S14, T6S, R50W
CORY MCCAFFREY	S13 & 14, T6S, R50W
DAN & LORI MCCAFFREY	S29, T 6S, R49W
MARY MCCAFFREY	S20, T6S, R49W
DAN & LORI MCCAFFREY	S29, T 6S, R49W
PAUL & ANDREA WITT	S28, T6S, R49W
KELLY & SHEENA BURR	S27, T6S, R49W
JACK BANCROFT TRUST	S34, T6S,R49W
JACK BANCROFT TRUST	S35, T6S,R49W
COLORADO STATE LAND BOARD	S36, T6S, R49W
TRIPLE H FARMS	S8&9, T7S, R48W
DENNIS & DARLENE HEGER	S15, T7S, R48W
MARK & DIANA CRAIG	S14, T7S, R48W
MARK & DIANA CRAIG	S14 & 23, T7S, R48W
PETER BRACHTENBACH	S8 & 29, T7S, R47W
GARY & CYNTHIA BRACHTENBACH	S35, T7S, R47W
DAVE & BARB HORNUNG	S34, T7S, R47W
CURE INC	S8, T8S, R46W
WILLIAM & JEANINE HORNUNG	S7, T8S, R46W
TRIPLE H FARMS	S17, T8S, R46W
CURE INC	S8, T8S, R46W
CURE INC	S17, T8S, R46W
TERRENCE & SHELLEY HORNUNG	S16, T8S, R46W
PAUTLER FARMS	S15, T8S, R46W
KENNETH & SUSAN HORNUNG	S16, T8S, R46W
CURE INC	S23, T8S, R46W
RITA VINDUSKA	S24, T8S, R46W
HELEN MEEK	S29, T 8S, R45W
DAVE & BARB HORNUNG	S29, T8S, R45W
LINDA & RAY MILTENBERGER	S30, T8S, R4W
KIRBY & MARJORIE POWELL	S28, T8S, R45W
BETTY GUY	S33, T8S, R45W
DALE STULL JR TRUST	SW4, SE4 ONLY (40 ACRES)
B&B HINKHOUSE	S34, T8S, R45W
BETTY GUY	S33, T8S, R45W
JOHN & MARTHA KUHN	S1, T9S, R45W
PENNY CORMAN	S6, T9S, R44W
LARRY & CHARLENE MCARTHUR	S9, T9S, R 44W
MCARTHUR IMPLEMENT	S8, T9S, R44W

LARRY & CHARLENE MCARTHUR	S9 & 16, T9S, R 44W
JERRY & SHELLY MCARTHUR	S15&14, S9S, R44W
FRANK & BEV RUHS	S23, T9S, R44W
JERRY & SHELLY MCARTHUR	S14, S9S, R44W
CYNTHIA HALDE	S19, T9S, R43W
DOUG & JOANN Anderson	S24, T9s, R44W
GARY PENNY	S30, T9S, R43W
GWP	S29, T9S, R43W
BRUCE & MELANIE UNRUH	S33, T9S, R43W
PENNY BROTHERS	S28,9S,R43W
ALLAN JANSSEN	S34, T9S, R43W
BRUCE & MELANIE UNRUH	S33, T9S, R43W
HARLAN WILKENS TRUSTEE	S34, T9S, R43W
PENNY BROTHERS	S35,9S,R43W
PENNY BROTHERS	S35,9S,R43W
DEPCO FARMS	S2, T10S, R43W
HEINTGES FARM	S1, T10S, R43W
DEPCO FARMS	S2, T10S, R43W
STEPHEN C NOLLETTE	S15,10S,42W
MULCH FARMS	S6, T10S, R42W
GARTH GAY	S8, T10S, R42W
JILL EBERHART	S9, T10S, R42W
TOMES LLLP	S14,T10S, R42W
STEPHEN C NOLLETTE	S1, T10S, R43W
GERALD & MARTINA HEINTGES	S24, T10S, R42W
JOYCE ADAMS TRUSTEE	S23, T10S, R42W
TERRY & SUE COX	S7, T8S, R46W
ISENBART FAMILY TRUST	S12, T8S, R47W

RESOLUTION #15-039-SUNMAN HOSPITALITY LLC

The Kit Carson County Board of Equalization denies Sunman Hospitality LLC appeal of the 2015 valuation for assessment of the property identified by Schedule No 46000011. Dave Hornung moved to sign Resolution #15-039, seconded by Cory Wall. The motion was carried by unanimous vote by Gary Koop.

**BEFORE THE BOARD OF EQUALIZATION
OF THE COUNTY OF KIT CARSON,
STATE OF COLORADO
RESOLUTION NO. BE-2015-01**

PETITIONER: SUNMAN HOSPITALITY LLC
PARCEL/SCHEDULE NUMBER (S): 46000011
LEGAL DESCRIPTION: 605 SO LINCOLN
TR 290 X 300 SE 2-9-44
AKA TR B

PUBLIC HEARING DATE: July 22, 2015

WHEREAS, pursuant to Section 39-8-106, C.R.S. the Kit Carson County Board of Equalization hears appeals from the Kit Carson County Assessor's determinations regarding 2015 valuations for assessments; and

WHEREAS, the Petitioner(s) appealed the Kit Carson County Assessor's determination regarding the 2015 assessed valuation of the above-referenced scheduled number(s) to the Kit Carson County Board of Equalization; and

WHEREAS, a public hearing was scheduled and the Petitioner(s) was notified by mail of the scheduled hearing time, date and location; and

WHEREAS, a public hearing was held before the Board on the date set forth above for the purpose of taking evidence on the appeal; and

WHEREAS, based upon the Petition to the Kit Carson County Board of Equalization and the evidence presented at the hearing, including, the testimony of the parties, and documents submitted, the Board makes the following findings and final decision in this matter:

The Petitioner(s) presented the following testimony and documents in support of the Petitioner's position: Summary of Salient Features and Current Appraisal.

The Assessor claims that the proper actual value should be \$3,904,972.00. The Assessor presented the following testimony and documents in support of the Assessor's position: Data from sales of comparable properties which sold during the applicable time period. Gross rent, expense, vacancy and collection loss data from comparable properties obtained during the applicable time period.

The Board finds that the 2015 value placed on the property by the Assessor is correct, and accepted the value of \$3,904,972.00 as determined in accordance with applicable Colorado Statutes and the Division of Property Taxation's Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Kit Carson County Board of Equalization denies Petitioner's appeal from the Kit Carson County Assessor's determination of the 2015 valuation for assessment of the property identified by Schedule No. above, for the reasons stated above. This denial of the appeal is the Board's final action, effective immediately.

Done this 29th day of July, 2015, at Burlington, Colorado.

Motion made by Dave Hosoung, Seconded by Cory Wall, motion carried by unanimous vote,
Gary Koop.

BOARD OF COUNTY COMMISSIONERS

By: [Signature]
Gary Koop, Chairman

By: [Signature]
Dave Hornung, Commissioner

By: [Signature]
Cory Wall, Commissioner

Attest:

[Signature]
Patricia A. Witzel, Deputy Clerk, County Clerk



STATE OF COLORADO)

)ss.

COUNTY OF KIT CARSON)

I, Patricia A. Witzel, Deputy Clerk, County Clerk and ex-officio Clerk of the Board of Equalization 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 Equalization 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 July, 2015.

[Signature]
Patricia A. Witzel, Deputy County Clerk

RESOLUTION #15-040 CHOSUN HOSPITALITY LLC

The Kit Carson County Board of Equalization denies Chosun Hospitality LLC appeal of the 2015 valuation for assessment of the property identified by Schedule No 53000001. Dave Hornung moved to sign Resolution #15-040, seconded by Cory Wall. The motion was carried by unanimous vote by Gary Koop.

**BEFORE THE BOARD OF EQUALIZATION
OF THE COUNTY OF KIT CARSON,
STATE OF COLORADO
RESOLUTION NO. BE-2015-02**

PETITIONER: CHOSUN HOSPITALITY LLC
PARCEL/SCHEDULE NUMBER (S): 53000001
LEGAL DESCRIPTION: 282 S SO LINCOLN
LOT 1 LINCOLN STREET PLAZA
BURLINGTON
FORMERLY L 2-3 & M 75' L4
FARMERS 2ND COMMERCIAL BURL

PUBLIC HEARING DATE: July 22, 2015

WHEREAS, pursuant to Section 39-8-106, C.R.S. the Kit Carson County Board of Equalization hears appeals from the Kit Carson County Assessor's determinations regarding 2015 valuations for assessments; and

WHEREAS, the Petitioner(s) appealed the Kit Carson County Assessor's determination regarding the 2015 assessed valuation of the above-referenced scheduled number(s) to the Kit Carson County Board of Equalization; and

WHEREAS, a public hearing was scheduled and the Petitioner(s) was notified by mail of the scheduled hearing time, date and location; and

WHEREAS, a public hearing was held before the Board on the date set forth above for the purpose of taking evidence on the appeal; and

WHEREAS, based upon the Petition to the Kit Carson County Board of Equalization and the evidence presented at the hearing, including, the testimony of the parties, and documents submitted, the Board makes the following findings and final decision in this matter:

The Petitioner(s) presented the following testimony and documents in support of the Petitioner's position: Summary of Salient Features and Current Appraisal.

The Assessor claims that the proper actual value should be \$2,247,244.00. The Assessor presented the following testimony and documents in support of the Assessor's position: Data from sales of comparable properties which sold during the applicable time period. Gross rent, expense, vacancy and collection loss data from comparable properties obtained during the applicable time period.

The Board finds that the 2015 value placed on the property by the Assessor is correct, and accepted the value of \$2,247,244.00 as determined in accordance with applicable Colorado Statutes and the Division of Property Taxation's Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Kit Carson County Board of Equalization denies Petitioner's appeal from the Kit Carson County Assessor's determination of the 2015 valuation for assessment of the property identified by Schedule No. above, for the reasons stated above. This denial of the appeal is the Board's final action, effective immediately.

Done this 29th day of July, 2015, at Burlington, Colorado.

Motion made by Dave Haiming Seconded by Cosy Hill, motion carried by unanimous vote,

Gary Koop

**BEFORE THE BOARD OF EQUALIZATION
OF THE COUNTY OF KIT CARSON,
STATE OF COLORADO
RESOLUTION NO. BE-2015-04**

PETITIONER: LEE JOO CHUL
PARCEL/SCHEDULE NUMBER (S): 46000014
3 AC TR IN SE AKA TR1
2-9-44 UNPLATTED BURLINGTON

PUBLIC HEARING DATE: July 22, 2015

WHEREAS, pursuant to Section 39-8-106, C.R.S. the Kit Carson County Board of Equalization hears appeals from the Kit Carson County Assessor's determinations regarding 2015 valuations for assessments; and

WHEREAS, the Petitioner(s) appealed the Kit Carson County Assessor's determination regarding the 2015 assessed valuation of the above-referenced scheduled number(s) to the Kit Carson County Board of Equalization; and

WHEREAS, a public hearing was scheduled and the Petitioner(s) was notified by mail of the scheduled hearing time, date and location; and

WHEREAS, a public hearing was held before the Board on the date set forth above for the purpose of taking evidence on the appeal; and

WHEREAS, based upon the Petition to the Kit Carson County Board of Equalization and the evidence presented at the hearing, including, the testimony of the parties, and documents submitted, the Board makes the following findings and final decision in this matter:

The Petitioner(s) presented the following testimony and documents in support of the Petitioner's position: Summary of Salient Features and Current Appraisal.

The Assessor originally claims that the proper actual value should be \$203,860.00. The Assessor presented the following testimony and documents that disputed the original values. A survey plat was presented showing acreage of 2.16 more or less instead of the original 3 acres.

The Board finds that the 2015 corrected value placed on the property by the Assessor is correct, and accepted the value of \$149,500.00 as determined in accordance with applicable Colorado Statutes and the Division of Property Taxation's Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Kit Carson County Board of Equalization denies Petitioner's appeal from the Kit Carson County Assessor's determination of the 2015 valuation for assessment of the property identified by Schedule No. above, for the reasons stated above. This denial of the appeal is the Board's final action, effective immediately.

Done this 29th day of July, 2015, at Burlington, Colorado.

Motion made by Dave Hanson, Seconded by Cosy Wall, motion carried by unanimous vote,
Cosy Koop.

**BEFORE THE BOARD OF EQUALIZATION
OF THE COUNTY OF KIT CARSON,
STATE OF COLORADO
RESOLUTION NO. BE-2015-04**

PETITIONER: SAFEWAY
PARCEL/SCHEDULE NUMBER (S): 20065
111 18TH ST BURLINGTON, CO
FURNITURE, MACHINERY EQUIPMENT
STORE #2520

PUBLIC HEARING DATE: July 29, 2015

WHEREAS, pursuant to Section 39-8-106, C.R.S. the Kit Carson County Board of Equalization hears appeals from the Kit Carson County Assessor's determinations regarding 2015 valuations for assessments; and

WHEREAS, the Petitioner(s) appealed the Kit Carson County Assessor's determination regarding the 2015 assessed valuation of the above-referenced scheduled number(s) to the Kit Carson County Board of Equalization; and

WHEREAS, a public hearing was scheduled and the Petitioner(s) was notified by mail of the scheduled hearing time, date and location; and

WHEREAS, a public hearing was held before the Board on the date set forth above for the purpose of taking evidence on the appeal; and

WHEREAS, based upon the Petition to the Kit Carson County Board of Equalization and the evidence presented at the hearing, including, the testimony of the parties, and documents submitted, the Board makes the following findings and final decision in this matter:

The Petitioner(s) presented the following testimony and documents in support of the Petitioner's position: Summary of Salient Features and Current Appraisal.

The Assessor claims that the proper actual value should be \$182,139.00. The Assessor presented the following testimony and documents in support of the Assessor's position.

The Board finds that the 2015 value placed on the property by the Assessor is incorrect, and accepted the value of \$182,139.00, as determined in accordance with applicable Colorado Statutes and the Division of Property Taxation's Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Kit Carson County Board of Equalization denies Petitioner's appeal from the Kit Carson County Assessor's determination of the 2015 valuation for assessment of the property identified by Schedule No. above, for the reasons stated above. This denial of the appeal is the Board's final action, effective immediately.

Done this 29th day of July, 2015, at Burlington, Colorado.

Motion made by Dave Hornung, Seconded by Casy Wall, motion carried by unanimous vote,

Casy Koop

SETTLEMENT AND WAIVER

Petitioner: CCA Properties of America, LLC

Respondent Kit Carson County Assessor

STIPULATION (AS TO TAX YEARS 2015 and 2016 ACTUAL VALUE)

Petitioner, CCA Properties of America, LLC, by and through its authorized taxpayer's representative, Ryan, LLC, and the Respondent, Kit Carson County Assessor, and hereby enter this Stipulation regarding the tax year 2015 and 2016 valuation of the subject property, and jointly agree to enter into this Stipulation.

Petitioner and Respondent agree and stipulate as follows:

1. The property subject to this Stipulation is assessed under Schedule Number 3650003 and is described as Private Prison, TR #3 Burl CCA Annex UNPL, Burlington, also known as the Kit Carson Correctional Center, 49777 County Road V, Burlington, Colorado 80807, in Kit Carson County, Colorado.
2. The subject property is classified as Private Prison and consists of land and commercial improvements.
3. The County Assessor originally assigned the following actual value to the subject property for tax year 2015:

Actual Value:	\$61,000,000
Total Value:	\$61,000,000

4. After a timely appeal and further review and negotiation, the Petitioner and the County Assessor agree to the following Market Value for tax years 2015 and 2016 for the subject property:

Actual Value	\$51,500,000
Total	\$51,500,000

5. The valuation, as established above, shall be binding only with respect to tax years 2015 and 2016.

6. The parties agree that any further hearings related to this appeal shall be vacated.

Dated this 22nd day of July, 2015.

CCA PROPERTIES OF AMERICA, LLC

By: Michael Henry
Michael Henry
Ryan, LLC
Authorized Taxpayer Representative
2800 Post Oak Blvd., Suite 4200
Houston, TX 77056
Telephone: (713) 629-0090
E-mail: michael.henry@ryan.com

KIT CARSON COUNTY ASSESSORS OFFICE

By: Abbey J. Mullis
Abbey J. Mullis
Kit Carson County Assessor
251 16th Street, Suite 102
Burlington, CO 80807
Phone: (719) 738-11916
E-mail: assessor@kitcarsoncounty.org

Acknowledged by:

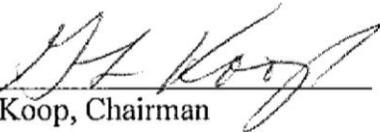
By: Susan Corliss Patricia A. Wilson
~~Susan Corliss~~
Dept, Kit Carson County Clerk

JEFF CURE-COUNTY ATTORNEY-WEEKLY MEETING

Jeff Cure stated he has been working on the easement for Douglas Klann and 21st Century. Jeff asked to schedule hearing for easement on August 19th at 11:00. Letters will be sent to adjoining land owners.

Discussion was held on recording fee for easements with Kit Carson County. Jeff stated that he would add it to the easement form.

Meeting adjourned at 12:00 p.m.



Gary Koop, Chairman



Date