

September 11, 2018

At a regular meeting of the Board of County Commissioners, Washington County Colorado, held at the Courthouse in Akron, Colorado on Tuesday the 11th day of September, 2018, there were present:

Lea Ann Laybourn, chairman	present
Terry G. Hart, commissioner	present
Leland Willeke, commissioner	present
Garland Wahl, clerk of the board	present
Madeline Meacham, county attorney	present

8:00 Invocation

Pledge of Allegiance

Work Session

8:15 Planning and Zoning – Annie Kuntz

Justin and Rochelle Brandon – FP18-01

Justin and Rochelle Brandon – MP 18-06

Della Perlenfein – MP 18-07

Ryan Rhea – FP 18-02

Ryan Rhea – MP 18-08

8:30 Treasurer – Deb Cooper (Pitney Bowes)

8:45 Public Comment/Work Session

Additional Items to be added to the Agenda

Colorado Department of Higher Education

MOU Treasurer Control of Confidential Data

Resolution 67-2018

Pitney Bowes Lease Agreement

Waive Event Center fees for Nursing Home fund raiser.

Advertising funds for Airport Development Board to bring avionics business here

Pioneer Haven windows

9:15 Business Meeting Convenes

Approve Consent Agenda

1. Schedule of bills for the County from the General, Road & Bridge, Health Care, TV Translator, Landfill, Justice Center Fund and Construction payables for September 11, 2018 in the amount of \$207,234.74
2. Nursing Home bills for September 11, 2018 in the amount of \$36,690.69
3. Pioneer Haven bills for September 11, 2018 in the amount of \$899.00
4. Minutes from Prior Meetings
  - a. September 4, 2018

It was moved by Commissioner Hart and duly seconded by Commissioner Willeke to **approve the Consent Agenda** with additions. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Willeke and duly seconded by Commissioner Hart to ask the chairman of the board to sign the **Pitney Bowes NASPO ValuePoint FMV Lease Agreement** for the postage machine. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Willke and duly seconded by Commissioner Hart to approve the **Foundation Permit for Manufactured Homes (FP18-02) for Ryan Rhea** on the NW1/4NW1/4-15-2N-52W. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Willeke and duly seconded by Commissioner Hart to approve the **Mobile or Manufactured Home Permit Application (MP18-08) for Ryan Rhea** for a residential home on the NW1/4NW1/4-15-2N-52W. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Hart and duly seconded by Commissioner Willeke to approve the **Foundation Permit for Manufactured Homes (FP18-01) for Justin and Rochelle Brandon** on the SE1/4-5-2S-51W. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Willeke and duly seconded by Commissioner Hart to approve the **Mobile or Manufactured Home Permit Application (MP18-06) Justin and Rochelle Brandon** for a residential home on the SE1/4-5-2S-51W. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Hart and duly seconded by Commissioner Willeke to approve the **Mobile or Manufactured Home Permit Application (MP18-07) for Della M. Perlenfein** for a residential home on the NE1/4-1-3N-49W. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Hart and duly seconded by Commissioner Willeke to ask the chairman of the board to sign the **Memorandum of Understanding for Control of Confidential Data with the Department of Revenue concerning local sales taxes** collected and administered by the Department on behalf of the county. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Hart and duly seconded by Commissioner Willeke to ask the chairman of the board to sign the **State of Colorado Grant Agreement**. State Agency is **Colorado Department of Higher Education** on behalf of the Colorado Opportunity Scholarship Initiative and Grantee is Morgan Community College Foundation. County or Third Party is Northeastern Junior College Foundation, Kit Carson, Lincoln, Morgan, Washington and Yuma Counties

**Resolution 67-2018**

**WHEREAS**, by prior action on August 7th, 2018 the Board of County Commissioners adopted Resolution 65-2018; and

**WHEREAS**, said Resolution approved a **Roadway Vacation** (Case #VAC18-01) for **Mary Gibbens and Adolfo Castanon**; and

**WHEREAS**, at a meeting held on this date the Board determined to amend Resolution 65-2018 to reflect the corrected legal descriptions; Plat of the Original Town of Platner, Colorado was filed on March 2, 1918 at Reception Number 350240 in Book 2 Page 23 in the Office of the Washington County Clerk and Recorder and the Plat of Shannon's Second Addition to the Plat of Town of Platner, Colorado was filed on April 10, 1920 at Reception Number 371112 in Book 2 Page 38; and Prairie Street being joined by Lot 7, Block 1 Shannon's Second Addition to the Town of Platner, Colorado, according to the recorded plat thereof, on the north, and Lot 18, Block 3 of the Original Town of Platner, Colorado and;

**WHEREAS**, pursuant to Colorado Revised Statutes 43-2-303 the Board of County Commissioners may divest all right, title, or interest of the County to a dedicated road by adoption of a Resolution to that effect after notice and holding a public hearing to consider a roadway vacation; and

**WHEREAS**, the Plat of the Original Town of Platner, Colorado was filed on March 2, 1918 at Reception Number 350240 in Book 2 Page 23 in the Office of the Washington County Clerk and Recorder and the Plat of Shannon's Second Addition to the Town of Platner, Colorado was filed on April 10, 1920 at Reception Number 371112 in Plat of Book 2 Page 38; and

**WHEREAS** pursuant to the aforementioned statutory mandates the Board received a request from Mary Gibbens and Adolfo Castanon dated July 18, 2018 to vacate a portion of the dedicated roadway as shown on the above referenced Plat maps, as Prairie Street; and

**WHEREAS**, the dedicated road is not in use; and

**WHEREAS**, applicants are the owner of the South side of the dedicated roadway that was dedicated to Washington County by Special Warranty Deed recorded in Reception Number 868874; and

**WHEREAS**, the owner of the North side of the dedicated roadway was notified of this vacation and has not indicated any objection; and

**WHEREAS**, pursuant to a notice the Board held a public hearing on August 7th, 2018 and received evidence and testimony regarding said proposed vacation; and

**WHEREAS**, the Board has reviewed this matter on this date and has no reason not to grant the vacation of the dedicated but underutilized roadway based upon the information made available to them.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY**, as follows:

1. By adoption of this Resolution and pursuant to the authority vested onto the Board by Colorado Revised Statutes 43-2-301 et.seq., having been fully advised, the Board hereby vacates the dedicated but underutilized roadway as may have been granted to the County as set forth in the Washington County Clerk and Recorder records, described as that portion of Prairie Street being joined by Lot 7, Block 1 Shannon's Second Addition to the Town of Platner, Colorado, according to the recorded plat thereof, on the north, and Lot 18, Block 3 of the Original Town of Platner, Colorado, according to the recorded plat thereof, on the south.

2. Pursuant to C.R.S. 43-2-302, ownership of the real property created by the adoption of this resolution, shall vest to the property owners abutting the vacated roadway.

3. The Clerk to the Board is hereby directed to record this Resolution and forward a copy to the aforementioned property owner who filed the application for vacation and to the Washington County Assessor so that the Washington County land records may be changed to reflect the action taken by the Board on this date.

4. Title shall vest immediately upon vacation.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 11th day of September by Commissioner Hart who moved its adoption. The motion was seconded by Commissioner Willeke and on roll call vote, all votes being yes, the resolution was adopted.

It was moved by Commissioner Hart and duly seconded by Commissioner Willeke to **Waive Event Center fees for Nursing Home fund raiser**. On roll call vote, all votes being yes, the motion passed.

**Resolution 68-2018** It was moved by Commissioner Willeke and duly seconded by Commissioner Laybourn to appoint Commissioner Hart to the Board of Trustees for the **Washington County Foundation** for the sole purpose of establishing a quorum to allow the Board to act on a proposal to dissolve the Foundation.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 11th day of September, 2018 by Commissioner Willeke who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted.

**Resolution 69-2018**

**WHEREAS**, the Board previously appointed Grant Smith to the position of **Health and Human Services Director**; and

**WHEREAS**, the Board wishes to formalize the appointment of Mr. Smith by entering into a written contract; and

**WHEREAS**, the Board wishes to enter into a contract that has been modified from the contract currently used for some employees;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY** as follows:

The Board formalizes the appointment of Grant Smith to the position of Health and Human Services Director; and

The Board authorizes the Chair to sign the contract with Mr. Smith; and  
The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 11th day of September, 2018 by Commissioner Hart who moved its adoption. The motion was seconded by Commissioner Willeke and on roll call vote, all votes being yes, the Resolution was adopted.

Subsequent to execution of the proposal, the Airport Development Board will provide the Commissioners with an accounting for how the funds were expended.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 11th day of September, 2018, by Commissioner Hart who moved its adoption. The motion was seconded by Commissioner Willeke and on roll call vote, all votes being yes, the resolution was adopted.

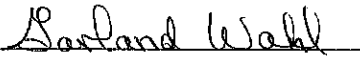
Funds to finish the landscaping at the Administrative Building will be taken out of the Nursing Home construction fund.

9:30 County Attorney

10:15 Gene Thomas (Foundation Board) Gene Thomas and Gina Ramey discussed the Washington County Foundation Board. They don't have enough members to have a quorum to hold a meeting. Discussion was to dissolve the Board. Current funds and a donation made by a citizen earmarked for the new pavilion at the fairgrounds will have to be taken care of first.

Thomas said the second thing he wanted to discuss was an **employee in the Clerk and Recorder's Office**. He stated Lori Barkey was rude and told him when he walked into the office at 4:10 p.m. that the office closed at 4:30. Thomas said he had several things to take care of. One he was told couldn't be done because his wife wasn't with him and she needed to see her Driver's License. He asked if the Driver's License could be faxed and was told no. Barkey completed one transaction then told Thomas if his wife could fax her Driver's License she could complete that transaction but she was leaving at 4:30. In all the years I (Thomas) have worked with the public I never turned a customer away if they were there before closing time. Thomas said the Commissioners are over the whole county and thought they should know so they could take care of things. Thomas said he also gave Annie Kuntz an ear full about this.

10:45 It was moved by Commissioner Willeke and duly seconded by Commissioner Hart to adjourn the meeting.

  
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Garland Wahl, Clerk of the Board

  
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Lea Ann Laybourn, Chairman Board of County Commissioners