

October 2, 2018

At a regular meeting of the Board of County Commissioners, Washington County Colorado, held at the Courthouse in Akron, Colorado on Tuesday the 2nd day of October, 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 Road and Bridge District 1- James Brent Hershey

9:15 Kimmy Wells

9:45 Planning and Zoning – Annie Kuntz

Larry and Cynthia Steen – RA 18-04

Mastec – RWT 18-15 – RWT 18-38

Additional Items to add to the agenda

Sign Grant Smith Appointment Contract

Bomgaars signature update

Capital Request Sheriff Air Conditioner

Capital Request Crack seal parking lot

Stan Laybourn RRWCD board

Resolution 75-2018 oppose proposition 112

By-Law changes ERC table next week

10:00 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 October 2, 2018 in the amount of \$688,249.58
2. Nursing Home bills for October 2, 2018 in the amount of \$22,432.10
3. Pioneer Haven bills for October 2, 2018 in the amount of \$915.49
4. Minutes from Prior Meetings
 - a. September 25, 2018

It was moved by Commissioner Hart and duly seconded by Commissioner Willeke to **approve the Consent Agenda**. 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 **Road Access Permit (RA18-04) for Larry and Cynthia Steen** for access to new home on NE1/2-7-1N-50W. On roll call, all votes being yes, the motion passed.

It was moved by Commissioner Willeke and duly seconded by Commissioner Hart to approve the Road Cut/Right of Way Permit Telecommunications Companies (RWT 18-15 through RWT18-38) for **Mastec North America Inc. to install new handhole location** on County Roads 39 & FF, 39 & Hwy 63, 39 & BB, 39 & Z, 40 & Z, 40 & Y, 40 & V, 40 & T, 40 & Q, 40 U for Zayo Group. The first document will have the original signature of the chairman and her stamped signature on all other documents. 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 to sign the **Washington County Board Appointment Employment Agreement appointing Grant Smith as the Human Services Director**. 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 **Request for Capital Purchase for the Sheriff to purchase an air conditioner** for the service room. The room needs to be kept cool because of the equipment in it. Cost of the air conditioner will be \$4937.00. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Willeke and duly seconded by Commissioner Hart to **appoint Stan Laybourn to the Republican River Water Conservation District**. The term of office for the new appointee shall be for three years. On roll call vote, all votes being yes the motion passed.

Resolution 75-2018

Whereas, Colorado's economy is the best in the nation and job growth continues at a steady pace; and

Whereas, Colorado is a major energy-producing state, ranked fifth in the nation for natural gas production and seventh in the nation for oil production, according to U.S. government data; and

Whereas our state's oil and natural gas industry supports more than 230,000 jobs and contributes more than \$31 billion in economy activity to the state; and

Whereas Proposition #112 establishes a 2,500-foot setback from new oil and natural gas operations that threatens to eliminate thousands of industry jobs and millions in economic contributions, including a loss of at least \$230.3 million in funding for Colorado schools from state trust lands over a three-year period, a 60% decrease; and

Whereas these setbacks would allow government to take private property, including mineral rights, from Coloradans without compensation; and

Whereas Proposition #112 usurps state regulation of energy development in Colorado; and

Whereas according to the Colorado Oil and Gas Conservation Commission (COGCC), Proposition #112 would put more than 36 million acres of Colorado off limits to new oil and gas production – nearly 85% of all state and private land – effectively banning new development in Colorado; and

Whereas non-partisan studies have found that the economic impact from this Proposition would include a reduction of state and local tax revenue by up to \$258 million in the first year, reaching a possible reduction of \$1.1 billion annually by 2030. This proposition would also lead to a reduction of roughly 115,000 to 147,800 jobs spanning all sectors of the economy; and

Whereas these reductions would financially cripple Washington County families both in and outside the oil and natural gas industry; and

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of County Commissioners declares its opposition to Proposition #112.

This foregoing Resolution was presented at the meeting held on the 2nd day of October, 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.

Commissioner Hart asked if it was customary for boards to take a position on things like Proposition 112. County Attorney, Madeline Meacham said she would look at the Campaign Finance laws.

RESOLUTION 76-2018

On October 2, 2018, the Board appointed Marsha Jesse Senior Director of Finance and Human Services; and

WHEREAS, this appointment was made pursuant to the Board's authority under Colorado Revised Statutes 30-28-103; and

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

The Board appoints Marsha Jesse by this resolution, as of October 2, 2018 to the position of Senior Director of Finance and Human Resources;

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the October 2, 2018 by Commissioner Willeke who moved its adoption. The motion was seconded by Commissioner Hart 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 **pay insurance** claimed as an out of pocket expense to **Jeremy Wells** due to a miscommunication among departments. On roll call vote, Commissioner Hart and Laybourn voted yes, Commissioner Willeke abstained from voting. Motion passed.

Conference call with Jeff Crane to discuss the mitigation study on flooding from the South Platte River in the Messex area at 11:15

It was moved by Willeke and duly seconded by Commissioner Hart to increase the **ACH Exposure Agreement total dollar amount of Entries transmitted by Washington County Nursing Home to The Farmers State Bank**, Bookkeeping Department, 200 Clayton Street, Brush, CO or The Farmers State Bank, 101 Main Avenue, Akron, CO on any day shall **not exceed \$80,000**. On roll call vote, all votes being yes, the motion passed.

10:30 County Attorney

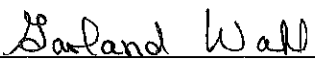
Joe Curry has filed a retaliation claim for payment of overtime work at the administration building for the Nursing Home and his attorney is asking for an early settlement. There was no finding of fault by the EEOC. Attorney Meacham does not recommend early settlement.

George Orr submitted a claim for work done on Green House. There was already a final settlement of all outstanding claims. Attorney will ask Jensen/Laplante to resolve this matter.

Have deposition tomorrow with inmate.

11:05 It was moved by Commissioner Willeke and duly seconded by Commissioner Hart to **adjourn the meeting**. On roll call vote, all votes being yes, the motion passed.

11:05 Congressman Ken Buck – Dusty Johnson



Garland Wahl, Clerk of the Board



Lea Ann Laybourn, Chairman Board of County Commissioners