

## UNOFFICIAL MINUTES FOR APRIL 12, 2012

The Regular Meeting of the Kiowa County Commissioners was called to order by Chairman Richard Scott on April 12, 2012. Richard Scott opened the meeting with prayer and Pledge of Allegiance. Those attending were:

Richard Scott, Chairman of BOCC  
William Koehler, Commissioner  
Donald Oswald, Commissioner  
Peggy Dunlap, Administrator

The agenda was presented and Richard Scott asked that it be approved as presented. Administrator Dunlap asked that storage for the Library be put under new business. Oswald suggested Road & Bridge report be put under new business as well. Oswald made the motion, seconded by Koehler, to approve with the additions. All Commissioners voted affirmative.

Cardon Berry entered the room at 9:00 am as a visitor and Jeanne Sorensen entered at 9:10 am.

Cardon Berry came to the Commissioner meeting to meet with Doug Harbour regarding ideas he wanted to share regarding water in the lakes South of Eads. Upon waiting for Mr. Harbour to attend meeting, Commissioner Scott filled Berry in on the Towner Rail line. Berry did leave the meeting at 9:20 am as he had another appointment.

Doug Harbour entered the meeting at 9:25 am and discussed his ideas on getting water from the Catlin canal. Catlin has changed their bylaws to accommodate others getting water and water leaving Otero County. Harbour is asking the Commissioners to be an active part in getting all interested parties and entity's together for a meeting and they agreed. Harbour is on his way to Denver to discuss with government constituents and will keep us informed as to what he found out.

Mike Pollart of the State Land Board came in to talk to the Commissioners regarding leases on the State owned land. He handed out maps with locations in Kiowa County that the state had property. There are leases on grassland which are leased for 10 years. The leases are not advertised and anyone interested in leasing property would need to contact Pollart's office for a list of upcoming properties that would be available. The other question the Commissioners had for Pollart were about mineral leasing on those properties. He said all monies received go into a General account that supports schools across the state. It doesn't stay in the County it was leased in. Pollart's visit was very informational and we look forward to him coming again in the near future.

Daryl Stolzenberger stopped by to see if he could have all the vehicles that didn't sell on the advertised equipment bid sheet. There were only 4 that didn't sell. After some discussion, it was decided that Gary Wollert could have the 1975 Single Axle Dump Truck for bid of \$787.00 and Daryl Stolzenberger could have the remaining vehicles for scrap. Koehler made the motion, seconded by Oswald to accept Wollert bid and let Stolzenberger have the remaining vehicles for scrap with 50% coming back to the County. All Commissioners voted affirmative.

Betsy Barnett gave a report on the Museum. She said that they are very interested in having the museum open for at least another year. They will be dependent on volunteers to work in there and people will be getting calls in the near future to ask for assistance. Pat Roper has agreed to stay on as the President of the Museum board but she can't work there as she is full time at the Courthouse. There anticipated opening would be Memorial Day weekend. She will keep us informed as to how it is going for volunteers.

Minutes from the Regular meeting March 29<sup>th</sup>, 2012 and the Special meeting April 3, 2012 were presented. Koehler made a motion, seconded by Oswald, to approve the minutes as presented. All Commissioners voted affirmative.

The next meeting dates for May are the 15<sup>th</sup> and 30<sup>th</sup>.

Meeting was recessed for lunch at 11:55 am.

Meeting was back in session at 1:05 pm.

Dennis Pearson, DSS Director, gave a monthly report to the Commissioners. His Medicaid report is only showing \$37,000 and he is thinking that there is something different not on this report. He has inquired about the report from the State and he has yet to hear back from them. He also talked to the Commissioners about some findings in the Audit. He has been working with the State on a few things that he didn't agree with and he had a 2 hour phone conference this morning. A final report should be in our office next week of the findings. Dennis Pearson would like to give the Commissioners a copy of his responses once the final letter comes in. According to Pearson, the State is saying that they will not allow any of the Daycare expenses or very few to be paid by them which will leave the County paying out about \$10,000 a month which over a year would be about \$120,000 out of County money to operate the Daycare. The Commissioners will wait to discuss and decide the outcome when the final letter comes in. Dates were discussed regarding a Special meeting to discuss once the letter comes in. The Commissioners will keep Pearson informed as to when the meeting will be.

Discussion was made regarding having a Special meeting on April 20<sup>th</sup> to discuss the PPAL, Building Corp, and the final letter from the State on the DSS Audit. Administrator Dunlap will contact Wendy Shinn, the County Attorney, to see if she can come up that day. Also, we need to see if Amanda Brown would be available as well.

Administrator Dunlap reported that she talked with RC Anderson with the Mustang Pavilion. It is located in Kim and is a huge building. It is an enclosed facility and will be used for rodeos, barrel racing, and Little britches events. Commissioners will share the flyer with Brenda Fickenscher.

All 3 Commissioners and Administrator Dunlap will attend the Using Social Media to tell your story that will be held at Lamar Community College May 9<sup>th</sup>, 2012 at 10:00-1:00 pm.

Richard Scott gave a report on the Towner Line. He has given up trying to save the line. Oswald said he thinks we need to go through the steps for NTSB. Administrator Dunlap will send a letter of opposition and resolution to them, it may not make any difference but at least we tried. Scott believes that we hammer our legislators so that the money comes back to the Counties that are affected. We are impacted severely for years to come. We will pursue the avenue of getting money back here.

Jeffrey Wright with Emergency Management came in to talk to the Commissioners about signing the new Intergovernmental Agreement with Bent County for the State Homeland Security Grant Program. Oswald made the motion, seconded by Koehler, to sign the agreement. All Commissioners voted affirmative. There is a form that needs to be signed by the Commissioners regarding the NIMS. Wright will get it typed up and bring it back up to be signed. It basically says that we will follow all protocol that the Federal Emergency Management says that we will do for Federal assistance. The Commissioners also asked Wright about Emergency preparedness with the Oil & Gas businesses if something were to happen once they start drilling. He is working with a few of the companies and safety classes will be held at Drilling sites. He will keep the Commissioners informed. He also handed out an ESF#1 that has to do with Transportation. Administrator Dunlap will make copies and send to the Commissioners for them to review.

The landfill was discussed and things are doing ok. Operators are being used from Road & Bridge to cover up the debris on the day that it was dumped.

We are still waiting on the CSBG grant to tell us what they are wanting as criteria for usage of the Transit riders. What do they have as criteria for handicapped or indigent? It needs to be spelled out for us. We will wait on the response.

We are still waiting on information from Wells Fargo on the purchase of the fire truck.

Penny Weirich-Baker entered the meeting to let us know about the Mineral leases and taxation. Right now taxes are on \$2.00 per acre accessed, but how can we be fair to everyone in the County if we were to raise them? Leases went from \$10.00 an acre to \$150.00 an acre. Postage would cost over \$600.00 to send out a questionnaire and then most won't come back. She needs some documented number based on a lease amount in order for it to be billed out. She will try to send out a few letters and see what response she can get. What are the neighboring Counties doing? Most of them are doing an average on lease amount according to Weirich-Baker.

Discussion was made regarding the City annexation of PPAL and Senior citizen's lot. The question was put to Donald & Bill if they wanted to pay 1/3 of the legal fee to annex which would be about \$100.00. What is the advantage to the County to have those 2 lots annexed to the City? As far as the discussion that was made, nothing. If Prairie Pines were to be sold, City taxes would be paid. After much discussion, Oswald made a motion, seconded by Koehler, that we will NOT pay \$100.00 for our share of the annexation fees to be annexed. All Commissioners voted affirmative. Oswald made a motion, seconded by Koehler, that we NOT annex Prairie Pines and the Senior Citizens lot at this time. Scott and Oswald voted affirmative, Koehler abstained.

Mike Leonard held a very informative meeting regarding the Oil & Gas industry that was held at Otero Jr. College. Communication is a must when dealing with the Oil & Gas companies. There will be more meetings soon regarding all of this and the Commissioners will attend as many as possible. Test wells were also talked about and there doesn't seem to be an issue with the State Oil & Gas regulations. Require it to be a closed loop system and there shouldn't be any issues with the permits.

Donald Oswald ran a report for the Health Fair Account with the records that were given to us. They were reviewed and it was suggested that we send to Shannon Dixon and Tom Henton. The 2/3 that we gave them from that account should be enough to cover the costs of the Health Fair and possibly have extra left over.

The Treasurers report was reviewed. There was also an Investment report and a Quarterly report of Treasurer's fees collected that was reviewed and filed in 2012 Monthly Journal.

The Clerk's report was reviewed.

Commissioner's reports were reviewed and discussed.

One time off request form was signed.

Administrator Dunlap suggested that \$35,000 be transferred as an "advance" from County General to Capital Expenditures until the grant revenues come in. This money had to be paid up front before the grant could be

closed out. Oswald made a motion, seconded by Koehler, to advance money to Capital Expenditures until the grant is finalized and then it will transfer back to County General. All Commissioners voted affirmative.

The Library is looking for storage of books that will be collected for next year's book sale. The Commissioners do not have any other storage areas available. The Library does have a storage unit in the back of their library that could store stuff if cleaned out. They can start with their own storage unit and the Commissioners will go from there. Our visitor said that there is a lot of stuff in there that just needs to be organized. After discussion, the Commissioners have said that for the time being, there isn't much to offer them as all vaults are occupied.

Koehler also said that he needs to let everyone know, that when the Hot Water Heater needs replaced at Prairie Pines, a crane will be needed to get it out of there. The generator is now in the way.

There are issues with the new semi and it has been taken to Lamar to be looked at. There are a few issues with the Road & Bridge vehicles. Repairs will probably be an issue.

Discussion was made again with the Tax assessment on Minerals. Scott suggested that we go to \$4.00 an acre for Mineral leasing. Penny Weirich-Baker came back into the room and discussed this issue again. The revenue goes into the County fund.

With no further business, Oswald made a motion, seconded by Koehler, to adjourn the meeting at 4:15 pm.