

COMMISSIONERS PROCEEDINGS 1

BOARD OF COUNTY COMMISSIONERS

Minutes of Meeting

February 10, 2015

The Board of Morgan County Commissioners met on Tuesday, February 10, 2015 at 9:04 a.m. with Chairman Brian McCracken, and Commissioner Laura Teague in attendance. (Commissioner Zwetzig joined the meeting after the Consent Agenda was presented). Chairman Brian McCracken called the meeting to order with Morgan County Department Planning Administrator John Crosthwait leading the meeting in the Pledge of Allegiance to the Flag.

CONSENT AGENDA

- Ratify the Board of County Commissioners Meeting Minutes dated February 3, 2015
- Ratify the Board of County Commissioners approval of Contract 2015 CNT 13-WM Recycle America, LLC
- Ratify the Board of County Commissioners approval of Contract 2015 CNT 15-Wolf Waste Removal-Trash removal services for Morgan County
- Ratify the Board of County Commissioners approval of Contract 2015 CNT 16-Hart Intercivic-annual software license and support
- Ratify Chairman Brian McCracken's signature on letter to Rubin Brown LLP to release information to Yanari Watson McGaughey, P.C., dated January 8, 2015
- Ratify Commissioner Laura Teague's signature on the base reallocation and yield update decision for agriculture risk coverage and price loss coverage programs, dated February 3, 2015
- Ratify Chairman Brian McCracken's signature on the Weldon Valley Ditch Company for the 2015-2016 Recharge Allocation Statement, dated January 28, 2015
- Ratify Chairman Brian McCracken's signature on the Designation of Representative to County Health Pool, dated February 2, 2015
- Ratify Commissioner Laura Teague's signature on the COR900000 Annual Report Form, Stormwater Discharges associated with Non-Extractive Industrial Activity for Morgan County Solid Waste, dated February 3, 2015
- Ratify Commissioner Laura Teague's signature on the Recycling Rebate Application for Morgan County Solid Waste Department, dated February 4, 2015
- Ratify the Board of County Commissioners approval of MCA Collections Proof 02022015 to be sent to State Collections
- Ratify the Board of County Commissioners approval of MCA Collections Proof 0126215 to be sent to State Collections
- Ratify the Board of County Commissioners approval of the Request for Waiver of Fees for Brush School District RE-2, dated January 12, 2015
- Ratify the Board of County Commissioners approval of the Request for Waiver of Fees for Your Life Group, dated January 12, 2015
- Ratify the Board of County Commissioners approval of the Request for Waiver of Fees for EMCH Foundation, dated January 19, 2015
- Ratify the Board of County Commissioners approval of the Request for Waiver of Fees for the Caring Pregnancy Resource Center, dated January 28, 2015
- Ratify the Board of County Commissioners approval of the Request for Waiver of Fees for Freedom to Cowboy Therapeutic Riding Center, dated February 2, 2015

Commissioner Teague made a motion to approve all items on the Consent Agenda as presented. Chairman McCracken seconded the motion and motion carried 2-0.

Commissioner Zwetzig joined the meeting at this time.

APPRECIATION AWARDS FOR YEARS OF SERVICE FOR PLANNING COMMISSION, BOARD OF ADJUSTMENTS AND FAIR BOARD

Chairman McCracken announced those individuals who will be receiving an appreciation award for their service on the Board of Adjustments, Planning Commission and Fair Board.

Commissioner Teague presented a plaque of appreciation to Kevin Fergus thanking Mr. Fergus for his years of service to the Morgan County Fair Board. Ms. Teague stated that Mr. Fergus served on the board since 2008, and shared her appreciation of his service and knowledge in equine, serving youth in the Horse Programs. Mr. Fergus shared some history of his service to the fair board and stated he enjoyed his time serving on the fair board. He thanked the Board of County Commissioners stating they have shown their support to the fair board, mentioning the horse shelter that was recently placed at the fairgrounds.

Planning Administrator John Crosthwait presented a plaque of appreciation to Corky Tomky for his years of service to the Morgan County Board of Adjustments. Mr. Crosthwait shared his appreciation for Mr. Tomky always taking the time to physically look at the property in question expressing that this is an admirable quality. Mr. Crosthwait presented Mr. Tomky a plaque in appreciation for his many years of service to the Morgan County Board of Adjustments. Mr. Tomky thanked everyone for the honor, stating he has lived in Morgan County his entire life and expressed his enjoyment of being involved in the actions of this board, and the fact that he was able to provide his point of view. He stated in traveling the world, he and his wife are always happy to return to their home, Morgan County, and shared his appreciation to the County, thanking everyone for what we have here.

Mr. Crosthwait presented a plaque of appreciation to Rick Lorenzini, expressing the Lorenzini family as being "iconic". Mr. Crosthwait mentioned the plaque as being presented to Mr. Lorenzini, as "Ricky". Mr. Crosthwait stated Mr. Lorenzini served on the Board of Adjustments for numerous years moving onto as a member of the Planning Commission. Mr. Crosthwait stated Rick is a value to the County and shared his appreciation to both Rick

2 COMMISSIONERS PROCEEDINGS

and his wife for their service. Mr. Lorenzini stated it has been twenty some years serving on the two boards, and feels it has been very interesting. He mentioned the history of his time on the boards as beginning with matters regarding Jackson Lake moving to dairy businesses. He stated he is going to miss his involvement and shared his appreciation of the job the Board of County Commissioners are doing.

GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

Consideration of Approval – RESOLUTION – 2015 BCC 05 – Resolution Establishing a Conflict of Interest Policy for County Employees and Elected Officials

**MORGAN COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 2015 BCC 05**

**A RESOLUTION ESTABLISHING A CONFLICTS OF INTEREST POLICY FOR COUNTY
EMPLOYEES AND ELECTED OFFICIALS**

WHEREAS, Colorado law governs when a County employee or elected official has a conflict of interest that impacts his or her duties and responsibilities and establishes a procedure for reporting conflicts of interest; and

WHEREAS, the Board of County Commissioners desires to formally adopt a conflict of interest policy for County employees and elected officials, which is consistent with Colorado law.

NOW THEREFORE be it resolved by the Morgan County Board of County Commissioners as follows:

Section 1. The following conflicts of interest policy is hereby adopted by the Board of County Commissioners, and it shall be added to the Morgan County Government Personnel Policy immediately after the “Code of Ethics” section.

CONFLICTS OF INTEREST

A. Purpose. Certain provisions of the Colorado Revised Statutes govern conflicts of interest involving County employees and elected officials. The rules set forth herein constitute the Morgan County Conflicts of Interest Policy, which is intended to implement applicable state law relating to conflicts of interest. Nothing set forth herein shall limit the responsibility of an employee or elected official to comply with other provisions of state law that may govern conflicts of interest, violations of which may affect the individual’s employment with the County or qualifications for public office.

B. C.R.S. § 18-8-308. An employee or elected official exercising any influence or decision-making authority in connection with a County contract, purchase, payment or any other pecuniary transaction who is a director, president, general manager or similar executive officer or who owns or controls, directly or indirectly, a substantial interest in any business or entity participating in the transaction, shall give seventy-two hours written advance notice of the conflict to the Board of County Commissioners and to the Colorado Secretary of State. Failure to disclose a conflict of interest may be grounds for immediate dismissal, and is a crime under State law.

C. C.R.S. § 24-18-109(2)(a). No employee or elected official shall engage in a substantial financial transaction for his or her private business purposes with a person whom he inspects or supervises.

D. C.R.S. § 24-18-109(2)(b). No employee or elected official may perform an official act (a vote, decision, recommendation, approval, disapproval, or other action or inaction, involving discretionary authority) that directly and substantially benefits a business or other undertaking in which the employee or elected official has a substantial financial interest, or in which the employee or elected official serves as counsel, consultant, representative or agent. For purposes of this policy, a “financial interest” is defined as a substantial interest held by the elected official which is:

- (1) An ownership interest in a business;
- (2) A creditor interest in an insolvent business;
- (3) An employment or a prospective employment for which negotiations have begun;
- (4) An ownership interest in real or personal property;
- (5) A loan or any other debtor interest; or
- (6) A directorship or officership in a business.

E. C.R.S. §§ 24-18-109(3) and 24-18-110. No County Commissioner shall vote or attempt to influence the decision of other County Commissioners if such County Commissioner has a personal or private interest in any matter proposed or pending before the County Commissioners, unless: (1) his or her participation is necessary to obtain a quorum or otherwise enable the Board of County Commissioner to act; and (2) prior to acting, he or she discloses the nature of the interest in writing to the Colorado Secretary of State, listing the amount of the financial interest, if any, the purpose and duration of the Commissioner’s services rendered, if any, and the compensation received for the services or such other information as is necessary to describe the interest. If the Commissioner then performs the official act, at the time of performing the act the Commissioner shall state for the record the fact and summary nature of the interest.

COMMISSIONERS PROCEEDINGS 3

APPROVED this 10th day of February, 2015.

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/ Brian D. McCracken
Brian K. McCracken, Chairman

s/ Laura D. Teague
Laura D. Teague, Commissioner

s/ James P. Zwetzig
James P. Zwetzig, Commissioner

(SEAL)
ATTEST:

s/ Susan L. Bailey
Susan L. Bailey, Clerk to the Board

Morgan County Human Resources Director Becky Snyder presented to the Board for approval Resolution 2015 BCC 05, a Resolution Establishing a Conflict of Interest Policy for County Employees and Elected Officials. Ms. Snyder outlined this resolution as being a conflict of interest policy for county employees and elected officials. She explained that there are rules set forth in Colorado Revised Statutes, and read aloud the actual resolution. Ms. Snyder stated this will become a part of the Morgan County Personnel Policy.

Commissioner Teague made a motion to approve Resolution 2015 BCC 05, noting it will be incorporated into the Morgan County Personnel Policy. Commissioner Zwetzig seconded the motion, and motion carried 3-0.

Consideration of Approval – CONTRACT – 2015 CNT 14 – ILOKA dba New Cloud Networks

Morgan County Information Services Manager Karol Kopetzky presented to the Board for approval Contract 2015 CNT 14, the contract between Morgan County and ILOKA, doing business as New Cloud Networks. Ms. Kopetzky outlined the contract explaining this is for Morgan County's T1 telephone service. She stated that this line ties the Administration building, Justice Center, Ambulance, Extension office, Department of Human Services and the Road/Bridge Department together. She thanked Danette Martin, Director of Morgan County Communications, for her part in assisting with cost savings to the County by moving to this new vendor. Karol summarized the cost savings, as the County is now paying \$679.75 per month rather than \$886.38 per month plus the Denver line fee of \$198.90 per month, making the prior total being paid per month at \$1,085.28. Ms. Kopetzky stated the new service also includes new features, one being Caller ID, a new feature that was not offered in the previous plan. Ms. Kopetzky explained the overall savings to the County is approximately \$4,866.36 using this new provider. She stated she is working on a new project with the Department of Human Services at this time for a caller hot line, which is working well with this new service.

Commissioner Zwetzig asked about the reason the Board has a contract amount for \$10,000, with Ms. Kopetzky explaining that the Finance Department asked to have the blanket requisition be written to reflect a higher amount in case there are other charges for regulatory fees that are not reflective in the monthly cost of service reflected in the agreement. Commissioner Teague also mentioned the savings in staff time in moving to this new service given the billing process is much simpler.

Commissioner Zwetzig made a motion to approve the contract as presented by Ms. Kopetzky, with Commissioner Teague seconding the motion. Ms. Kopetzky mentioned this contract does include an option for automatic renewals for up to four years. Commissioner Zwetzig amended his motion to include this information, with Commissioner Teague seconding the amended. Motion carried 3-0.

Consideration of Approval – CONTRACT - 2015 CNT 17 – Memorandum of Understanding – Human Resources Services

Morgan County Department of Human Services Interim Director Jacque Frenier presented to the Board for approval Contract 2015 CNT 27, the Memorandum of Understanding between Morgan County Department of Human Services and Morgan County Human Resources. Ms. Frenier outlined the agreement to the board stating it will cover all the separate programs within the department for human resource services.

Commissioner Teague made a motion to approve the Memorandum of Understanding between the Department of Human Services and Morgan County Human Resources in the amount of \$1,407.00 for the term of January 1, 2015 through December 31, 2015, as outlined by Ms. Frenier. Commissioner Zwetzig seconded the motion and motion carried 3-0.

Consideration of Approval – CONTRACT – 2015 CNT 18 – Dr. John Collins, Medical Supervising Director Services

Morgan County Ambulance Director Joe King presented to the Board for approval Contract 2015 CNT 18, an agreement between Morgan County and Dr. John Collins as Director of Medical Supervision Services. Mr. King requested the approval from the Board explaining that the State of Colorado requires that each ambulance service

4 COMMISSIONERS PROCEEDINGS

have a medical supervising director to supervise the EMT's and paramedics for certain services as well as to be able to purchase equipment and medication. Mr. King stated he has Dr. Collins has been the Director of Medical Services for the past 30 years and in 2009 it was requested by previous Morgan County Ambulance Director, Bob Walters that Dr. Collins be compensated for his services. Commissioner Teague noted the contract actually references Bob Walter and not Joe King and asked that this be corrected. Commissioner Zwetzig asked what Dr. Collins services provide, with Mr. King stating that he is required to review any new protocol; he attends staff meetings and provides input, and is there for advice and input. Mr. King stated they have written protocol for all procedures and type of calls they are involved in.

Commissioner Zwetzig made a motion to approve Contract 2015 BCC 18 as outlined by Mr. King and authorized the chair to sign. Commissioner Teague seconded the motion and motion carried 3-0.

COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

Morgan County Clerk and Recorder Susan Bailey presented to the Board the 2014 Motor Vehicle Fourth Quarter Report. Ms. Bailey presented the 4th quarter report to the board outlining information as to the comparison of fees collected between 2012 and 2014. Ms. Bailey summarized that credit card transactions and online transactions have increased as well as the data for October 2014 and November 2014 showing a small decrease in collections but an increase in December 2014. The board accepted this information as presented.

Commissioner Zwetzig shared his appreciation to the staff in the Department of Motor Vehicles for their efficient customer service which eliminates the waiting times for individuals to obtain their license registration and titles.

Commissioners reviewed the calendar dated February 6, 2015 through February 17, 2015 with no changes.

UNFINISHED BUSINESS

There was no unfinished business.

CITIZEN'S COMMENT PERIOD

There were no citizen comments.

We hereby adjourn and are in recess at 9:32 a.m..

Respectfully Submitted,

Susan L. Bailey
Clerk to the Board

THE BOARD OF COUNTY COMMISSIONERS MORGAN COUNTY, COLORADO

s/ Brian D. McCracken
Brian K. McCracken, Chairman

s/ Laura D. Teague
Laura D. Teague, Commissioner

s/ James P. Zwetzig
James P. Zwetzig, Commissioner

(SEAL)

ATTEST:

s/ Susan L. Bailey
Susan L. Bailey, Clerk to the Board