



## *eCounty Lines*

August 1, 2017

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## Halfway Through This Year, Thinking About Next Year!



*By John (Chip) Taylor*

On the heels of your first review of legislative ideas for 2018 just a few weeks ago, CCI staff is also fully engaged in the development of the budget and dues for next year. The Board will meet later this month to review them and, ultimately, recommend a budget and dues schedule to the full membership. I have also been thinking about the steering committee transitions that will take place for next year. CCI members will be asked to elect new steering committee officers for two-year terms and these will be the first steering committee elections since the adoption of the by-laws change prohibiting the use of proxy votes for other counties in CCI leadership elections ([CCI Bylaws, art. V, sec. 3](#)). Steering committees are critical to CCI's legislative pursuits and these elections, while essential, can be the source of strong emotion and disagreement.

Absent any other changes in procedure, I anticipate taking votes from telephonic participants by an electronic means that can provide a secret ballot but allows CCI to validate the vote totals. There are some disadvantages to this approach, including the fact that CCI staff becomes the sole guarantor of the opportunity to vote, of recording the votes accurately, and of assuring that no member county votes more than once. A process for conducting the elections that involves collecting cell phone or email votes is also more cumbersome and will further distract the committees from working through the agendas that are nearly always very heavy with legislation early in the year.

Needless to say, I have been thinking about whether there is a better process for you to elect steering committee officers. I think one option is to conduct our election more like a mail ballot election, with each member county having its own ballot to cast. To that end, I started working on an election process proposal that is attached to this email. The attachment also outlines my initial list of pros and cons. At this point, I am not recommending it, just throwing it out for discussion. Even though it does not require a bylaws change, the process will have to have broad acceptance to lead to broadly-accepted results.

I would welcome any comment, criticism or discussion at the regional district meetings that start this week (*see article below*) or by private conversation, if you prefer. We look forward to seeing you soon!

**Today is Colorado Day.** On this date in 1876, President U.S. Grant found that the people of the Colorado territory had properly adopted a state constitution and issued his proclamation declaring the State of Colorado “admitted into the Union on an equal footing with the original states”. (Enabling Act, section 5) Happy 141<sup>st</sup> birthday to our own State of Colorado!

*John (Chip) Taylor is CCI's Executive Director.*

## CCI Mourns the Passing of Former Commissioner Gene Meisner



The CCI family lost a cherished member on July 24, 2017 with the passing of former Logan County commissioner Gene Meisner (*pictured above*). Gene served three terms as a Logan County commissioner. His leadership made a positive difference in a northeastern Colorado county with a population of 22,112. He played key roles in a wide range of county projects, including a shooting sports complex, development of alternative energy sources (wind and solar), improved waste management facilities, and courthouse enhancements. Gene had long been associated with the Logan County Fair, including a stint as manager where he was responsible for such innovations as adding dairy goats to the livestock show, getting children involved riding sheep across the rodeo arena, and increasing attendance and participation. To honor him, the Parade named Gene and his wife Linda the marshals of this year's event.

### IMPORTANT NEWS FOR COUNTIES:

#### Colorado Association for Recycling Invites Your Feedback on Survey



As part of an updated strategic plan, the Colorado Association for Recycling (CAFR) wants to improve and enhance the services it provides to Colorado counties. In that regard, between now and **August 11, 2017**, CAFR is inviting feedback from counties. CCI members can provide input via a survey found at this link:

<https://www.surveymonkey.com/r/ZXML8RQ>

If you have questions, please contact CCI Legislative and Policy Advocate **Brandy DeLange**.

#### CCI Releases Policy Memo on Changes to Colorado Open Records Act

CCI policy staff have prepared a memo that details changes to the Colorado Open Records Act (CORA) enacted under SB17-40, which was signed into law and takes effect this August. A copy of the policy memorandum is attached to this edition of *eCounty Lines*. If you have any questions, please contact Eric Bergman at CCI at 303.861.4076 or [ebergman@ccionline.org](mailto:ebergman@ccionline.org).

#### CDHS Town Hall Meetings Wrap Up August 10 in Arapahoe, Broomfield

The Colorado Department of Human Services (CDHS) is conducting a series of town hall meetings to solicit feedback, comments and suggestions to help inform the direction of the department and priorities for the coming year. The meetings run through **August 10, 2017** with stops in Arapahoe and Broomfield counties. For a complete list of the meetings, and to register, click [here](#).

## CCI MEETINGS:

### Front Range District Meeting Set for Friday in Broomfield

The first of five CCI district meetings this summer will be held **Friday, August 4, 2017** when the Front Range district meets in Broomfield. The lunches at these highly interactive and informative events are sponsored by the Colorado State University (CSU) Office of Engagement (*see the Associate Member Profile below*).

Each meeting will begin at 10 am and go until approximately 2 pm.

The schedule of meetings is as follows:

**Front Range District Meeting:** August 4, Health & Human Services Building, 100 Spader Way, Broomfield

**Mountain District Meeting:** August 24, Summit County Community & Senior Center, 83 Nancy's Place, Frisco

**Western District Meeting:** August 25, Ute Indian Museum, 17253 Chipeta Road, Montrose

**Southern District Meeting:** September 8, Huerfano County EMS Building, 326 Main Street, Walsenburg

**Eastern District Meeting:** September 15, Washington County Event Center, 551 West 2<sup>nd</sup> Street, Akron

## INVOLVEMENT/EDUCATION/NETWORKING:

### August 10: TANF/CCAP MOU Work Group Meeting at CCI

In January, several counties began working on edits to the TANF/Child Care Memorandum of Understanding (MOU) between each county and the Colorado Department of Human Services (CDHS). In accordance with statute, counties and CDHS are required to enter into an annual performance contract that explains a county's duties and responsibilities in implementing the Works Program and the Child Care Assistance Program. The work group will be meeting with CDHS to discuss the MOU on **August 10, 2017** from 9:30 am to 11:30 am at CCI. All are invited. For those who are unable to attend in person, the call-in number is 1.857.216.6700 and the passcode is 171009. Please contact CCI's Legislative and Policy Advocate [Alli Daley](#) with any questions.

### August 17: Counties Weigh in on Emancipation Age Proposal

Adopt Colorado Kids is seeking county input on the issue of raising the legal age of emancipation from 18 to 21 for foster youth in Colorado. A research document on the subject is attached to this edition of *eCounty Lines*. The group is looking at potential 2018 legislative changes to help serve kids aging out of foster care. To facilitate county feedback, especially on how the proposal would make a difference in the lives of aging out youth, CCI is hosting a meeting on **August 17, 2017** from 1 pm - 3 pm. If you are unable to make that day, thorough notes will be taken and shared with everyone afterwards. You can also join by conference call by dialing 1.857.216.6700 and then enter 171009 when prompted for your passcode.

### August 17: Small Communities Workshop Set for Silverthorne

The Department of Local Affairs, in partnership with CCI, the Colorado Municipal League and the Special District Association, will be presenting the 5<sup>th</sup> Annual Small Communities Workshop on **August 17, 2017** in Silverthorne (Summit County). This year's day-long workshop will include sessions on workforce housing, fiscal sustainability, budgeting, recreational tourism, and marijuana issues. Tickets are \$35 per person. To register, please go to <http://dola.colorado.gov/workshops>. A flyer for the workshop is attached to this edition of *eCounty Lines*.

## APPOINTMENT OPPORTUNITIES:

### Special Highway Committee Has Opening for County Commissioner

CCI is soliciting for a county commissioner to serve on the Special Highway Committee (SHC). The SHC is a cooperative effort between CCI and the Colorado Municipal League that makes recommendations to CDOT on federal off-system bridge fund awards to local governments. The SHC meets once a year (in the late fall) to review applications from municipalities and counties and prioritize projects for funding. There is one spot open on the Special Highway Committee and the CCI Board of Directors will make the appointment later this summer. If you are interested in serving on the Special Highway Committee, please send a letter detailing your applicable experience and qualifications to Kristin Dunn at CCI by close of business on **Wednesday, August 9**. Kristin can be reached by e-mail at [kdunn@ccionline.org](mailto:kdunn@ccionline.org). If you have any questions about serving on the Special Highway Committee, please call Eric Bergman at CCI at 303.861.4076.

### Commissioner Slot on Child Welfare Executive Leadership Council

The Child Welfare Executive Leadership Council (CWELC) has one opening for a county commissioner. The purpose of the CWELC is to advise the Colorado Department of Human Services regarding policy, budget and program issues that impact the safety, permanence and well-being of Colorado's children and families. The CWELC holds quarterly meetings in the Denver area that usually meet on a Friday and run from 8:30 am to 11:30 am. If you wish to be considered for this open seat, please contact CCI Deputy Director [Kristin Dunn](#) no later than **Friday, August 4, 2017**.

## NEW COMMISSIONER PROFILE:

### Washington's Leland Willeke Follows Familiar Script for Success



*This is the last in a series of articles about Colorado's newly-elected commissioners.*

Leland Willeke is following a familiar script as a first-term commission in Washington County. In his previous roles as a farmer, engineering/construction company executive, bank director, and education leader, Willeke scored high marks for strategic planning, teamwork, and transparency – themes he is replaying in his governance of this northeastern Colorado county with a population of 4,939. He says the county has developed, as part of a strategic planning initiative, a “simple and doable” list of short- and long-term goals that are posted on the county website for all to see. He’s enjoying a collaborative partnership with incumbent commissioners Terry G. Hart (board chair) and Lea Ann Laybourn, and appreciates their help and support. Together, the board has improved communications with the public, including producing a budget that Willeke says is “available, readable, and understandable.” Issues that have drawn his attention early in his term are improving roads and bridges, expanding nursing home facilities, and retaining county employees. He is working with the Northeast Colorado Association of Local Governments on regional concerns, including services for the aging. Willeke serves on the scholarship committee for the University of Colorado, where he earned his B.S. degree.

**Next week:** *profiles of incumbent commissioners return to eCL with Adams County's Steve O'Dorisio featured.*

## ASSOCIATE MEMBER PROFILE:

### CSU Office of Engagement Offers Support to Colorado Counties



**Colorado State University**

Colorado State University's Office of Engagement – a CCI Associate Member and sponsor of the lunches at this year's CCI district meetings (*see item above*) – is a powerful resource for Colorado Counties. Under the leadership of Associate Vice President for Engagement Kathay Rennels (*pictured above*), former Larimer County commissioner and past president of CCI, the office works to advance collaborative networks across the state and to create and support economic development opportunities. Their wide-ranging programs include CSU Online, CSU Extension, the Office of Community and Economic Development, and the Colorado Water Institute.

In addition to these programs, the Northeast Regional Engagement Center is a locally-driven initiative out of the Office of Engagement, supported by the Colorado State University System. It is a partnership with Logan, Morgan, Washington, Kit Carson, Phillips, Sedgwick and Yuma counties, Northeastern Junior College, and Morgan Community College. Following on the success of the Northeast Center, the Castle Rock Collaboration Campus is the newest of the System Initiatives. It is a partnership with Arapahoe Community College, the Town of Castle Rock, Douglas County Schools, and Colorado State University. It will be opening in 2019 in the town of Castle Rock.

For more information on the Office of Engagement, call 970.491.2785 or visit [www.engagement.colostate.edu](http://www.engagement.colostate.edu).

**Next week:** *Beam, Longest, Neff, L.L.C (BLN)*.

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**To:** County Commissioners  
County Administrators/Managers  
County Attorneys

**From:** Eric Bergman, CCI Policy Director

**Date:** July 26, 2017

**Re:** Changes to Colorado Open Records Act under SB17-40

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A number of important changes were made to the Colorado Open Records Act (CORA) this past legislative session. These changes were contained in SB17-40 (enacted in C.R.S. 24-72-203). They will affect all local governments and it will be necessary for counties to review and possibly update their policies with regard to compliance with CORA requests. It is worth noting that CCI opposed this change in the law and worked to secure additional flexibility in the legislation to protect smaller counties that might lack technological resources. These changes to CORA go into effect on August 9, 2017.

### **Documents in Digital Format**

The first set of changes to CORA concern allowing record requestors to request documents in a digital format. Under the new law, if a document otherwise subject to disclosure is stored in a digital and searchable format (such as a Word document) the document **must** be provided in this format, subject to certain exceptions. Similarly, if such a document is stored in a digital and sortable format (such as an Excel or Access file), the document **must** be provided to the requestor in this format (again, subject to certain exceptions).

At the request of CCI and other local government associations, a number of important exceptions were added to the bill to prevent unfunded mandates and other hardships for local governments. The law allows records custodians to **deny** a request for digital records in these searchable or sortable formats under the following conditions:

- If producing the record would violate the terms of a copyright or licensing agreement between the records custodian and a third party; or
- If producing the record would result in the release of a third party's proprietary information; or

- If, after making reasonable inquiries, it is not technologically or practically feasible to provide a copy of the document in this digital format; or
- If, after making reasonable inquiries, it is not technologically or practically feasible to permanently remove information that a records custodian is required or allowed to withhold (such as confidential or protected information) in this digital format; or
- There would be a cost to the records custodian to purchase software or create additional programming or functionality in existing software to remove this confidential or protected information.

If a county denies a request for a document in a digital format for one of these aforementioned reasons, the county is still required to produce the document in an alternative format (such as pdf) and must provide a written declaration attesting to the reason (citing one of the reasons above) the custodian is not able to provide the record in the requested format.

### **Denial of Records Concerning “Physical and Cyber Assets of Critical Infrastructure”**

This new law also allows a county to deny a request for inspection of records that could assist in a terrorist attack on critical utility infrastructure (such as pipelines or water infrastructure). Records custodians may deny a request for records that might divulge “physical and cyber assets of critical infrastructure, including specific engineering, vulnerability, detailed design information, protective measures, emergency response plans, or system operational data of such [critical infrastructure] assets that would be useful to a person in planning an attack on critical infrastructure.” (C.R.S. 24-72-204 (2)(a)(VIII)(A))

### **Custodian’s Liability for Attorney Fees and Changes in Violations/Penalties**

The bill sets forth that in the instance of a refusal to provide a record in an electronic format that results in a court action, the records custodian is only liable for attorney fees if the custodian is found to have acted in an arbitrary or capricious manner. The bill also removes the provision in statute (C.R.S. 24-72-206) that makes it a misdemeanor to knowingly violate CORA.

<p>County commissioners and staff are urged to confer with their information technology personnel and county attorney for a more specific interpretation of this new law and what steps they might want to take in order to comply with it. If you have any questions, please contact Eric Bergman at CCI at 303.861.4076 or <a href="mailto:ebergman@ccionline.org">ebergman@ccionline.org</a>.</p>
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**Register Now!**

# 5th Annual Small Communities Workshop

*Governance and Intergovernmental Cooperation for Local Government Officials*

Thursday, August 17th @ the Silverthorne Pavilion

Elected and appointed municipal, county, and special district officials from across the state are invited to participate in this day-long workshop, which will provide valuable information and tools to those leading smaller jurisdictions. Tickets are just \$35 per person.

Workshop will include:

- Housing 101: Investigating your community's housing needs
- Fiscal sustainability and budgeting: Gallagher's local impact
- How to develop recreational tourism in your community
- Marijuana: Challenges and opportunities for small communities

Join us the evening before for a networking mixer with light hors d' oeuvres at The Bakers' Brewery!

**Visit our website to register**  
<http://dola.colorado.gov/workshops>

*Proudly presented by the Colorado Department of Local Affairs in partnership with Colorado Counties Inc., the Colorado Municipal League, the Special District Association of Colorado, Northwest Colorado Council of Governments, and the Town of Silverthorne*



# RAISING THE LEGAL AGE OF EMANCIPATION FROM 18-21 FOR FOSTER YOUTH IN COLORADO

Stats

## Current Outcomes for Emancipating Youth

### EDUCATIONAL

- 40% OF FOSTER YOUTH WILL NOT GRADUATE HIGH SCHOOL BY AGE 19
- DUE TO CONSISTENT INSTABILITY, 40% REPEATED ONE OR MORE GRADES
- BETWEEN 1 AND 11% OF FORMER FOSTER YOUTH WILL GRADUATE COLLEGE

### SOCIAL

- 75% OF FEMALES WILL HAVE BEEN PREGNANT BY AGE 24
- 1 IN 3 WILL EXPERIENCE HOMELESSNESS
- 1 IN 4 WILL EXPERIENCE PTSD

Argument

### Why 21?

**Emerging Adulthood:** Age 18-25 is a period of as much brain growth and development as infancy. Youth in this age group's brains function by the "use it or lose it" principle where skills and experiences that occur regularly are reinforced to last, and those that do not are pruned and lost.

**Trauma:** Trauma and consistent disruptions stunt emotional health and development.

**Resiliency:** The ability to overcome adverse conditions and function normally in the face of risk. While trauma has caused most of these youth to regress developmentally, the high capacity for brain development of emerging adulthood gives them a high capacity for resiliency, and therefore, full recovery through a "re-wiring" of their brain.

**Permanent Connections:** Just as in infancy, the best development in emerging adulthood occurs when these youth have a safe base for exploration.

**Opportunities** for more planning, decision making, and independent living skills.

Argument

### Cost-Benefit Analysis

Studies show, "The Financial benefits of extending foster care--both for individual youth and for society-- outweigh the costs to government by a factor of approximately 2 to 1"

This is due to...

- Increased individual lifetime earnings related to better education outcomes
- Decreased expenditures of public assistance via decreased need for Social Security Income, food stamps, TANF, and other welfare payments.
- Decreased social cost to society by decreased incidence of teen and unplanned pregnancy, incarceration, mental health crises, and homelessness.

Argument

### Legislation & Mechanism

**HB 1079 Chap 83(CO):** Requires the court to consider the individual circumstances of each youth in out-of-home placement who is at least age 17 to determine whether the youth is ready to become independent on reaching age 18 or whether he or she should remain under the care of the county until age 21.

**Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fed):** Youth who turn 18 in care without permanent families can remain in care, at state option, to 19, 20, or 21 with continued federal support. Federal support will constitute 50-83% of total cost depending on the proportion of youth who are eligible for Title IV-E of the Social Security Act.

Figure 2. Foster Care Cost Sharing, State Bears All Nonfederal Costs

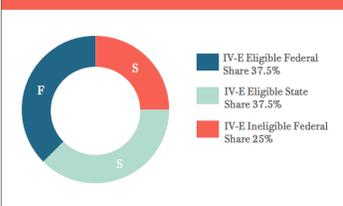
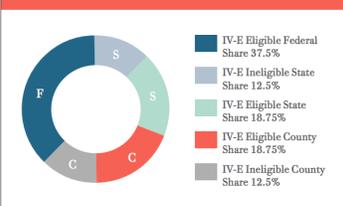


Figure 3. Foster Care Cost Sharing, State and Counties Share Nonfederal Costs Equally



I.e. California where 70% of Foster youth are Title IV Eligible:

Table 2: Allocation of the Costs of Extending Care Across Levels of Government

	Title IV-E Ineligible		Title IV-E Eligible		Total
<b>Federal</b>		+	50% * 70%	=	35%
<b>State</b>	40% * 30%	+	40% * 50% * 70%	=	26%
<b>County</b>	60% * 30%	+	60% * 50% * 70%	=	39%
<b>Total</b>	30%	+	70%	=	100%

# RAISING THE LEGAL AGE OF EMANCIPATION FROM 18-21 FOR FOSTER YOUTH IN COLORADO

## Action

### Steps to Take

- 1) Leverage your **platform** to spread awareness and advocate for this issue.
- 2) Activate your **network** to take action towards passing legislation to resolve this issue.

Do you know someone who could make a real difference in changing the legal age of emancipation in Colorado? Are you willing to meet with us and them to pursue taking the next step for youth aging out?

## Sources

### Works Cited

Courtney, M.E., Dworsky, A., & Peters, C.m. (2009). California's Fostering Connections to Success Act and the Costs and Benefits of Extending Foster Care to 21. Seattle, WA: Partners for Our Children.

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## **DRAFT Steering Committee Election Proposal DRAFT**

In 2016, CCI members amended the organization's by-laws to prohibit proxy voting in leadership elections. This was part of a broader conversation about election participation that included discussions about electronic voting and participation, double-counting county votes and anonymity of voting. Staff developed the election proposal below in an effort to address all of these issues.

### **Interests to be protected:**

- Allow an equal opportunity for commissioners in member counties statewide to run as a candidate and vote in steering committee elections;
- Accommodate the recent by-laws change prohibiting proxy voting for other counties in leadership elections;
- Provide for secret ballots/anonymous votes; and
- Provide for validation of vote totals.

### **Concept:**

- Begin steering committee elections process at winter conference by calling for nominations/declarations of interest by the close of the business meeting/conference;
- Provide a process (Speeches at conference? Letters distributed with ballots?) for interested members to announce their interest and solicit support from their colleagues;
- Send unique CCI ballots to each county with all steering committee races listed and opportunities to vote for announced candidates (floor nominations and write-ins only allowed if there are no qualified candidates);
- Require that the original ballot be signed by the BOCC chair and returned to CCI by an established deadline to be counted; and
- Identify and announce winning candidates whose terms begin with January steering committees.

### **Pros:**

- Ensures that each member county casts its own votes (no proxy);
- Minimizes the importance of in-person January steering committee attendance for leadership election purposes;
- Allows for maximum time to be devoted to new legislation at January steering committees;
- Provides an election process that allows for thoughtful consideration of county's choices by each BOCC;
- Allows for protection of anonymity and avoidance of double-counting, missed votes, etc.; and
- Provides a tool for validation of votes cast.

### **Cons:**

- Requires earlier declaration of interest, very limited opportunity to be a late or write-in candidate;
- Entails additional costs of printing and mailing (ballots, candidate statements, etc.); and
- Voting may take place prior to dues being assessed (ballots could be sent with invoices).

It is my assessment that this concept does not require further by-laws changes, it is implementing by-laws changes that have already been adopted. However, given the dramatic change in the manner in which our elections would be conducted, it seems prudent to advertise it widely and seek some sort of approval/ratification at the October membership meeting.

One additional consideration is whether this process will be desirable for elections held by the districts for their officers and board representatives. That will necessarily entail different calendars, ballots, etc.



# Rocky County, Colorado

Rocky County, Colorado, hereby casts its votes for 2018-20 CCI steering committee chairs and vice-chairs as follows:

AWRA - Chair

- Joe Smith
- Lisa Jones

GG - Chair

- Joe Smith
- Lisa Jones

HHS - Chair

- Joe Smith
- Lisa Jones

JPS - Chair

- Joe Smith
- Lisa Jones

LUNR - Chair

- Joe Smith
- Lisa Jones

PL - Chair

- Joe Smith
- Lisa Jones

T&F - Chair

- Joe Smith
- Lisa Jones

TRED - Chair

- Joe Smith
- Lisa Jones

T&T - Chair

- Joe Smith
- Lisa Jones

AWRA – Vice-Chair

- Joe Smith
- Lisa Jones

GG – Vice-Chair

- Joe Smith
- Lisa Jones

HHS - Vice-Chair

- Joe Smith
- Lisa Jones

JPS - Vice-Chair

- Joe Smith
- Lisa Jones

LUNR - Vice-Chair

- Joe Smith
- Lisa Jones

PL - Vice-Chair

- Joe Smith
- Lisa Jones

T&F - Vice-Chair

- Joe Smith
- Lisa Jones

TRED - Vice-Chair

- Joe Smith
- Lisa Jones

T&T - Vice-Chair

- Joe Smith
- Lisa Jones

I hereby certify that these are the votes of Rocky County, Colorado.

\_\_\_\_\_  
Chair, Rocky County Board of County Commissioners

\_\_\_\_\_  
Date