

The Board of County Commissioners met in regular session on September 27, 2011. Those present for the session were Heidi M. Albritton, Chair; Lynn M. Padgett, Vice-Chair; F. Mike Fedel, Member; Connie Hunt, County Administrator; and Linda Munson-Haley, Clerk of the Board.

- **Note – This meeting was recorded for reference purposes.**

Commissioner Fedel was not present for the beginning of the executive session. He joined the meeting while it was in progress.

8:35 Executive Session pursuant to C.R.S. § 24-6-402(4)(b) for a conference with the County Attorney for the purpose of receiving legal advice, and C.R.S. § 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiations:

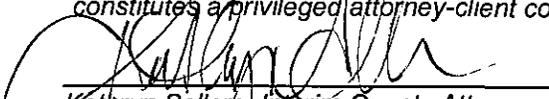
MIS/P—*Motion was made by Commissioner Padgett and seconded by Commissioner Albritton to convene into Executive Session pursuant to C.R.S. § 24-6-402(4)(b) for a conference with the County Attorney for the purpose of receiving legal advice, and C.R.S. § 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiations, to discuss the tire situation and where the County stands on that and the contract with Dr. Yeowell. A roll call vote was taken on the motion with the following results.*

Commissioner Albritton voted in the affirmative

Commissioner Padgett voted in the affirmative

Commissioner Fedel was absent for the vote

As County Attorney, it is my opinion that the discussion of the matter announced in the motion to go into executive session constitutes a privileged attorney-client communication.


Kathryn Sellars, Interim County Attorney


Heidi M. Albritton, Chair

Those present for the Executive Session were Commissioners Albritton and Padgett, Interim County Attorney Kathryn Sellars, and County Administrator Connie Hunt. Commissioner Fedel joined the session later.

8:35 The Commissioners entered into Executive Session:

9:27 The Commissioners came out of Executive Session:

A. 9:27 Call to the Public:

The "Call to the Public" agenda item is a time when the public may bring forth items of interest or concern. No formal action may be taken on these items during this time due to the open meeting law provision; however, they may be placed on a future posted agenda if action is required.

Smart Meters

Gary Hansen explained that he had no relationship to San Miguel Power Association, Inc. (SMPA) or its associates. He was qualified to talk about this topic because he was a retired engineer and his specialty was data communication and acquisition. He drew a diagram of a basic structure depicting how smart meters worked from the power company to the substations through a transformer and to the home. The communication from the power company to the home went through a transformer; however, when the smart meter reported back to the power company the communication went through the telephone lines because it was not powerful enough to talk back through the transformers. He discussed frequency and noted that the communication from the smart meter would be at a lower frequency than his voice. What SMPA was doing was infinitesimally insignificant compared to what a light dimmer switch did. What SMPA was doing did not really count as far as exposure to radiation. To the privacy issue with smart meters, the data communication happened for one second each day. The communication was both directions from and to the power company. He had been worried about the privacy issue but it turned out that this communication was protected by the U.S. data encryption standard similar to that for ATMs and credit card readers, which was pretty secure. He was not worried about anybody but the power company knowing what was going on. A total of 240 bits once a day would be transmitted. The power company was looking at how much power was being used for certain intervals and recording it. In conclusion, he knew some people were worried sick about this with anxiety. That should be prevented. For someone without a technical background, the facts and information did not sink in. He proposed to SMPA that they allow an opt out option to read a customer's meter only once a month. An eight second electronic trespass was not as serious as having a power company employee come into his yard and read his meter.

Walt Rule recalled Hansen's comment that the communication was being done by telephone. It was his understanding that it was done with a power line.

Commissioner Padgett met with SMPA and they said that in their case they had five substations. The power company had a computer with a program that other utilities subscribed to and customized. They entered all of their customers and a schedule of when the meters should be woken up – pinged. Using herself as an example, when SMPA's