

Board of County Commissioners of Lincoln County  
Agenda for February 28, 2024

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Review and act upon proposed Resolution #1119; a Resolution authorizing a Supplementary Budget Appropriation for the Lincoln Community Hospital Fund
- 9:45 Kevin Stansbury, Lincoln Community Hospital CEO, to provide an LCH report
- 10:30 Debbie Goerlitz, Mitigation Project Specialist with Colorado DHSEM, to discuss a Road and Bridge Infrastructure Project
- 11:30 Andrew Lorensen, Human Services Director, to present the Department of Human Services monthly report
- 2:00 Travis Miller with RockSol Consulting Group, Inc. to meet with the BOCC at the Lincoln County Roundhouse to discuss a Geotechnical Investigation

-To be completed as time permits-

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1. Approve the minutes from the February 16, 2024, meeting
2. Review and act upon a Victim Assistance and Law Enforcement Grant Application for 2024
3. Review and act upon an amendment to the Human Services Cost Allocation Plan Master Engagement Agreement with MGT of America Consulting, LLC
4. County Commissioner reports
5. County Attorney's report
6. County Administrator's report
7. Old Business
8. New Business
9. Approve Payroll

The Board of Lincoln County Commissioners met at 9:00 a.m. on February 28, 2024. Chairman Steve Burgess, Commissioners Wayne Ewing and Doug Stone, County Administrator Jacob Piper, County Attorney Stan Kimble, and Clerk of the Board Corinne M. Lengel attended. Limon Leader reporter Stephanie Zwick and commissioner candidate Josh Leithead attended until 12:15 p.m.

John Mohan had dropped by before the meeting to discuss a few things with the commissioners, stayed for the Pledge of Allegiance, and left.

Chairman Burgess called the meeting to order and led the Pledge of Allegiance.

Mr. Burgess had found a typo on page 10 of the February 16 minutes that Mrs. Lengel corrected. Mr. Ewing moved to approve the updated meeting minutes from February 16, 2024. Mr. Stone seconded the motion, which carried unanimously.

Mr. Stone moved to approve the \$46,600 FY24-25 Victim Assistance and Law Enforcement (VALE) grant application. Mr. Ewing seconded the motion, which carried unanimously.

Mr. Stone moved to sign the Human Services Cost Allocation Plan Master Engagement Agreement with MGT of America Consulting, LLC. Mr. Ewing seconded the motion, which carried unanimously.

Mr. Stone reported attending the Lincoln Day Dinner on February 19 and checking roads east of Karval on February 21. He attended the Brownsville meeting at the Limon community building on the Twenty-second and learned they would perform a free geotechnical assessment of the roundhouse if requested. However, they admitted the process was slow, and it could be six to eight weeks before they could do a soil test. If it were a negative test, the company would have the state approve the county to proceed with the project. If positive for contaminated soil, they would help the county find grant funding to mitigate it. Mr. Burgess thought the commissioners had already signed an agreement with RockSol Consulting for geotechnical investigation, but Mr. Piper didn't believe they'd signed anything yet. Mr. Kimble said he would advise against doing something else if they had. He added that his experience with the Brownsville organization was that anything they did was a lengthy process.

Mr. Stone said he'd gone down to the pit on February 26. He talked to Judd Kravig about a 2013 belly dump trailer they decided to sell for \$12,000. Someone bought it for the asking price and would pick up the title from the clerk's office. Mrs. Lengel said Mr. Kravig called to let her know, and she'd pulled the title; however, the buyer hadn't come in yet. Mr. Stone reported high winds in District 3 on February 27 and asked the other commissioners if they'd received an email regarding a railroad crossing in Limon. Mr. Burgess said it was the Bovina crossing and that they wanted to temporarily close it for maintenance. Mr. Burgess told them not to do it during harvest time.

Mr. Ewing reported attending the Lincoln Day Dinner on February 19. He spoke with Chris Monks about county roads and the roundhouse on February 20 and later talked to Roy

Brossman and Travis Miller about the latter. Mr. Ewing checked roads, spoke with an operator, and attended the Genoa town board meeting that night. They discussed the tower annexation. On February 23, Mr. Ewing talked to Chris Monks about crack-sealing at the Genoa-Hugo School and proposed areas to lay oil this spring. He attended the CCI Steering Committee meeting in Denver and the hospital board meeting in Hugo. Mr. Ewing returned to Denver on February 24 for another day of Steering Committee meetings. The District 1 road crew completed some of the crack-sealing at the school. Mr. Ewing received a text message from a constituent about some roads and talked to Chris Monks about them on February 25. Mr. Monks was on his way to Boyero to help with a fire. On the Twenty-sixth and Twenty-seventh, Mr. Ewing talked to Mr. Monks about the same roads and road signs. He also received calls from two constituents about a proposed solar farm southwest of Hugo. Mr. Burgess asked for the location, and Mr. Kimble said Land Use Administrator Ty Stogsdill hadn't mentioned anyone filing a development permit. Until that happened and it went before the Land Use Board, it was merely rumor.

Mr. Burgess reported attending the Republican Lincoln Day Dinner in Hugo on February 19. He went to Genoa on February 20, and he and Bruce Walters went to look at the section line a landowner wanted to use to access a piece of ground. No one ever used it as a road, so Mr. Burgess felt the county shouldn't get involved. Someone from Baca County called regarding the extra snowplows and wanted to come and look at them. Mr. Burgess talked to Mr. Ewing about the roundhouse; they were looking for concrete pads. Mr. Stone called to let him know he spoke with CSU Extension Regional Director Dennis Kaan about the county's policies regarding employees. Mr. Burgess attended the Economic Development meeting at Mountain View Electric on February 21. The annual meeting will be on April 17 at the fairgrounds, and Mr. Burgess hoped the others would attend. Between February 22 and 26, Mr. Burgess signed the bridge contract for the state, road crew members worked on roads and installed pipe east of Arriba, and a resident called asking why the road crew graded the roads every week; he said he'd check and let them know. Mr. Stone called him on the Twenty-third. Mr. Burgess went to Genoa on February 27; someone dumped trash in the ditch on County 27 north of town. He called Brazos Trailers in Texas about a weld problem, and they told him how to solve it. He contacted the resident who asked about the frequent road-grading with an answer and called Sun Power Sports about the Mule for the landfill. They had located one and would contact Mr. Burgess as soon as it arrived.

Mr. Kimble reported receiving a non-sanctuary county resolution from Mesa County and another from Washington County, explaining that a non-sanctuary county means local authorities actively cooperate with federal immigration agencies and do not provide sanctuary to undocumented immigrants. He noted the county has a procedure for handling development but usually encourages it in the municipalities. He felt that if large-scale immigration moved in, they would likely gravitate toward the towns, but he didn't believe any had adopted such resolutions yet. Mr. Piper said he'd received Kit Carson County's resolution.

When Lincoln Health CEO Kevin Stansbury and CFO Darcy Howard arrived at 9:30 a.m., Mr. Burgess asked how the immigration influx would affect the hospital. Mr. Stansbury said it was becoming a problem in city hospitals with hundreds of new births, thousands of patients to

treat, and millions of dollars spent. He added that Lincoln County didn't have the social infrastructure to support such an influx. If the county wanted to put together a task force to discuss how to handle it, he would be happy to help. Mr. Kimble said when the sanctuary cities first became popular, the idea was to somehow get around immigration laws. Mr. Stansbury noted that federal law mandated hospitals to provide care to anyone seeking it, and even though they ask if the patient is a Colorado resident, people aren't above lying about it. Mr. Ewing felt the commissioners should pass a resolution regardless, and perhaps the towns would follow suit. He moved to draft a resolution declaring Lincoln County a non-sanctuary county. Mr. Stone seconded the motion, which carried unanimously.

Mr. Piper informed the Board that the supplemental budget appropriation required for the 2023 Hospital Fund budget was \$3,571,342, increasing the overall 2023 budget to \$28,475,799. Mr. Stansbury said they saw double-digit inflation with compensation and that drug costs were continually rising. He noted that 2023 was a bad year for hospitals statewide.

Mr. Ewing moved to adopt a resolution authorizing a \$3,571,342 supplementary budget appropriation for the Lincoln Community Hospital Fund. Mr. Stone seconded the motion, which carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado, held in Hugo, Colorado, on February 28, 2024, there were present:

Steve Burgess, Chairman	Present
Wayne Ewing, Vice Chairman	Present
Douglas D. Stone, Commissioner	Present
Stan Kimble, County Attorney	Present
Corinne Lengel, Clerk of the Board	Present
Jacob Piper, County Administrator	Present

when the following proceedings, among others, were had and done, to-wit:

**RESOLUTION #1118** It was moved by Commissioner Ewing and seconded by Commissioner Stone to adopt the following resolution:

**WHEREAS**, C.R.S. §29-1-109(1)(b) allows supplementary budget appropriations by the governing body when unanticipated revenues not assured at the time of the adoption of the budget are received from any source other than the local government's property tax mill levy; and

**WHEREAS**, Lincoln Community Hospital Fund received funds of \$3,571,342.00 in unanticipated revenues which were used to pay \$3,571,342.00 in general operating expenses; and

**WHEREAS**, Lincoln Community Hospital Fund has unappropriated fund balances and sufficient cash to meet its expenses; and

**WHEREAS**, this income was not anticipated at the time of the preparation of the 2023 budget; and

**WHEREAS**, whatever increases were made in the expenditures, like increases were added to the revenue so the budget remains in balance as required by law.

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Lincoln County, Colorado, that \$3,571,342.00 be appropriated into the 2023 Lincoln Community Hospital Fund budget;

**BE IT FURTHER RESOLVED** that the 2023 Lincoln Community Hospital Fund budget be increased by \$3,571,342.00, thus making the total Lincoln Community Hospital Fund budget \$28,475,799.

Upon roll call the vote was:

Commissioner Stone, Yes; Commissioner Ewing, Yes; Commissioner Burgess, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners  
of Lincoln County

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ATTEST:

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Clerk of the Board

Ms. Howard provided a financial update, stating the hospital ended 2023 with \$3.6 million. They continued to work diligently on accounts receivable and conserving cash. She addressed the figures in the income statement, noting the YTD was a positive \$365,000, even though Medicare took back half a million in Medicare dollars. She'd been working on adjustments and inventory changes. Ms. Howard noted they switched to a new Electronic Health Records system the previous January, which was a monthly-paid lease that never appeared on the balance sheet. GASB96, which covers software leases, required them to book it as a capital asset. Ms. Howard felt confident with the numbers but said the auditor hadn't reviewed them yet.

Mr. Stansbury said they'd had serious problems the year before that they didn't want to repeat and commended Ms. Howard and her team.

Mr. Burgess asked why the Travel and Education line item was so high, and Mr. Stansbury explained it as physicians' allowances, education requirements, and a board retreat.

The goal for 2024 was to continue watching cash and working on receivables. Ms. Howard said they ended January with a positive \$41,000, but \$122,000 was grant money, making them well aware they were operating at a loss. She added they had instituted a hiring freeze unless replacing someone, and Mr. Stansbury said the consulting services cost was also extremely high and something they needed to reduce.

Mr. Ewing asked if the salary/benefit increases were mainly from cost-of-living raises. Mr. Stansbury responded it was most of it, but insurance premiums also increased by fifteen percent. They had given five percent pay raises even though city hospitals typically offer ten percent.

The hospital engaged a firm to help attract international nurses who have worked in the U.S. and have their licenses. They had interviewed and hired one from Uganda, one from Canada, and two from the Philippines.

Although still working on the facility replacement, Mr. Stansbury said the main focus now was the financials. He asked Mr. Kimble about the land titles, and Mr. Kimble said he would discuss the resolution with the commissioners later. The hospital attorney, Ms. Park, would send him the deeds, which the Board would sign before a notary on March 7.

Mr. Stansbury reported that Dr. Taryn McGilvery signed a contract to replace Dr. Mark Olson, and Nurse Practitioner Brittany Lugo would stay on. They planned to interview another physician, making them fully staffed if they hired her. Dr. Olson stepped down as Chief of Staff, and they had given the position to Dr. Brianna Fox.

Mr. Stansbury and Ms. Howard left, and Bruce Walters, Chester Ewing, Ken Stroud, and Chris Monks arrived for the 10:30 a.m. Zoom call regarding the District 2 County Road 33 bridge.

Debbie Goerlitz, Mitigation Project Specialist with Colorado DSHEM, introduced Lucas and Emily and asked if the discussion would involve the bridge and culverts. Mr. Burgess said there were no culverts and they should discuss replacing the bridge with another bridge as it had live water beneath it. He stated the bridge's creosote timbers were rotting, and the abutment was caving in. Ms. Goerlitz asked if there was another route the landowner could take, and Mr. Ewing said it was four miles for them to go around. She wondered if the county had an engineer look at it or had any studies completed, but Mr. Burgess said they'd put the project on hold until they could speak with her. Ms. Goerlitz said it appeared to be an eligible project because Lincoln County was affected by the June 2023 flooding, putting it in the first tier. That meant the state would match half of the local match, so the county would only have to put in 12.5% instead of 25%. The first step was a Scope of Work or design portion. If awarded, the county could proceed with soliciting an engineer and then move to Phase II, the construction phase. Ms. Goerlitz noted the grant application deadline was June 1, but they wouldn't submit it to FEMA

until August. They probably wouldn't have an answer until late December or early 2025. Ms. Goerlitz said their firm, Haggarty Consulting, would help with the design portion and the Scope of Work needed to include the construction plans.

When asked if the county would have to reapply for funding for Phase II, Ms. Goerlitz said it wouldn't as long as they had Phase I complete. She mentioned it would take several months between the phases but that Phase I would include environmental studies for ground disturbance and wildlife.

Mr. Burgess stated he was afraid of damaging the water supply if they used culverts instead of a bridge, and Emily stated they could do an H&H study to calculate how the construction affected the downstream water flow. She said Haggarty Consulting could help with it.

Ms. Goerlitz said the county could hire an engineer now to review a design, but it would be the county's sole responsibility to pay for it. Mr. Ewing wondered if it wouldn't be part of the in-kind match, but she said it was considered pre-award and wouldn't be. The Colorado School of Mines Engineering Program seniors charge \$5,000 if the county wanted to pursue that option, but Ms. Goerlitz didn't know if there would be enough time to utilize them.

Mr. Piper said the damage to the County Road 33 bridge didn't happen because of the 2023 flooding and asked if there were a chance FEMA would say it wasn't eligible. Mr. Stroud told him the County Road T bridge was ineligible because of previous state bridge reports.

Mr. Ewing asked why they assumed the damage didn't happen because of the flooding since the bridge failed shortly after the heavy rains last June. Mr. Kimble said the burden of proof was on the county and asked if they were suggesting including this project with the flood damage projects, and the response was yes, as long as they applied by June 1.

The group thanked Ms. Goerlitz, who said she would be in touch with Mr. Stroud, and Mr. Piper disconnected the Zoom meeting. He wondered if the county could apply for the off-system bridge funding again to help pay the match if awarded the project in Phase I, and Mr. Burgess said either that or a DOLA grant.

Mr. Ewing and the road foremen left, and Mr. Stroud asked if Travis Miller could help him complete the application. Mr. Kimble cautioned that Mr. Miller might have guidelines the county was unaware of regarding how much he could do. Mr. Burgess said he would contact Mr. Miller and ask, and Mr. Stroud left at 11:15 a.m.

Mr. Kimble requested fifteen minutes on March 7 for the commissioners to sign the hospital deeds. The Karval Water Authority SRF loan required the entity to own the Karval Water Users' assets, which he mentioned at the last meeting. However, he learned they had nothing in writing showing a transfer of the Karval Water Users' non-profit assets. Patrick Leonard sent him the bylaws and articles of organization but didn't know what assets they might have. Mr.

Kimble said he would help them take care of it. Lastly, he reported that he was still working on the contract with the Limon Leader for the 2024 Lincoln County Fair Books.

Mr. Piper said the commissioners needed to appoint Mr. Burgess to the Forfeiture Board officially, so Mr. Ewing moved to do so. Mr. Stone seconded the motion, which carried unanimously.

Mr. Piper said he had to leave for an appointment at 12:15. He reported that the department heads met the day before to discuss the changes the commissioners made to employee funeral leave and paying bills multiple times a month, or at the very least, twice monthly. Human Services Director Andrew Lorensen arrived for his 11:30 a.m. appointment. The Board reviewed the financial statements, employee timesheets, and the director's, Income Maintenance, and Child Welfare & Adult Protection reports.

Mr. Burgess asked Mr. Lorensen's thoughts on the county being a non-sanctuary county. Mr. Lorensen said he supported it because there wasn't sufficient housing, no food banks, and the immigrants didn't qualify for DHS programs.

Mr. Lorensen had asked Cheyenne County to contact other counties about Child Welfare support, but they would only provide hybrid or remote options. Cheyenne County will pay Lincoln County \$1,000 monthly to supervise its program while the director attends the academies. Cheyenne County would also pay the mileage for their employee to come to Hugo.

Mr. Kimble wanted to know which county's insurance would cover litigation, and Mr. Lorensen said he thought the MOU covered indemnification. Mr. Kimble stated the agreement stipulated that they were independent contractors, which might be the best they could do.

Mr. Stone moved to sign the Child Welfare Support MOU with Cheyenne County. Mr. Ewing seconded the motion, which carried unanimously.

Mr. Lorensen said the new format of the CMPP (child maltreatment) grant disappointed him; they'd drafted a plan using the provided template and then learned it was completely different. They still plan to apply; the application is due March 1. Mr. Lorensen said it would cause many extra hours and work, but he hoped to complete it on time.

The group returned to the previous discussion, and Mr. Piper said another change to the personnel policy was that FMLA would be thirteen weeks instead of twelve.

Regarding paying bills more than once a month, Mrs. Lengel said she didn't like the idea because it put a lot of pressure on the finance director, who already had a set schedule of duties throughout the month. While it might help lessen the number of invoices to enter and check each time, it would mean less opportunity for her to take time off. Mr. Burgess asked if it would help if the commissioners scheduled a specific time for reviewing and approving bills, such as 1:00 p.m. He felt the meetings were often short and that the Board could put in extra time to



help the finance director. Mrs. Lengel said it should help her feel less hurried and stressed. Mr. Piper asked if she would consider extending the deadline for receiving invoices from noon the day before the commissioners met to 2:00 p.m. He typically picked up the mail when he returned from his lunch break at 1:00 p.m., so the deadline was sometimes challenging. Mrs. Lengel said Mr. Piper might not be the only one who did that and was sure the finance director would be happy to extend the deadline, knowing she would have more time to check her entries and make any last-minute changes. The other commissioners agreed to schedule 1:00 p.m. to approve bills; Mrs. Lengel said she'd ask the finance director to extend the deadline, and Mr. Piper said he would start including it on the agendas.

Mr. Piper, Mrs. Zwick, and Mr. Leithead left, and the Board briefly discussed how to respond to an email from Lincoln County Extension Director Emily Baylie.

Mr. Burgess called Mrs. Baylie to let her know the commissioners stood by the county policy and would not allow her to bring her child to the extension office during regular working hours (8:00 a.m. to 4:00 p.m. M-F) unless in an emergency. Since her mostly CSU-funded position allowed her to work from home, Mr. Burgess told her that was acceptable, but Mr. Stone asked that she be in the Hugo office as much as possible. Mrs. Baylie asked if she could take her daughter with her when she worked after hours, on the weekends, or attended meetings at the annex or the fairgrounds, and the Board agreed she could.

With no further business to discuss, Mr. Burgess adjourned the meeting at 12:50 p.m. The next meeting will be at 9:00 a.m. on March 7, 2024.

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Corinne M. Lengel, Clerk of the Board

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Steve Burgess, Chairman