

Board of County Commissioners of Lincoln County
Agenda for June 27, 2024

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Travis Miller with RockSol Consulting Group, Inc. to provide updates on the Big Sandy Creek Bridge Rehab project
- 10:00 Andrew Lorensen, Human Services Director, to present the Department of Human Services monthly report
- 10:30 Jeremiah Higgins, Lincoln County Assessor, to discuss property valuation protests
- 11:00 Kevin Stansbury, Lincoln Community Hospital CEO, to provide an LCH report
- 2:00 Representatives from CDOT and Castle Rock Construction to discuss the Boyero Bridge Replacement project

-To be completed as time permits-

1. Approve the minutes from the June 18, 2024, meeting
2. Review sealed bids for construction management of the County Road 32 over Big Sandy Creek Bridge Rehabilitation project
3. Review and act upon the Colorado Division of Veterans Affairs County Application for Semiannual Payment
4. Review and act upon the 2023 Cost Allocation Plan and Indirect Cost Rate
5. County Commissioner reports
6. County Attorney's report
7. County Administrator's report
8. Old Business
9. New Business
10. Approve Payroll

The Board of Lincoln County Commissioners met at 9:00 a.m. on June 27, 2024. Chairman Steve Burgess, Commissioners Wayne Ewing and Doug Stone, County Administrator Jacob Piper, Clerk of the Board Corinne M. Lengel, and Limon Leader reporter Stephanie Zwick attended. County Attorney Stan Kimble and commissioner candidate Wendy Pottorff attended until noon. Land Use Administrator Ty Stogsdill and District 1 Road Supervisor Chris Monks were there when the meeting started.

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

Mr. Burgess asked Mr. Stogsdill to come to the meeting to discuss Development Permit Application #24-04. Castle Rock Construction didn't realize they needed a permit for the Boyero Bridge Replacement Project because the county didn't require one on the project they did several years ago. Mr. Monks said that if they had involved the county in pre-construction meetings, someone might have told them. The commissioners didn't want to delay the project four to six weeks while waiting for the Land Use Board and, subsequently, their approval, so they signed the application on June 21. Castle Rock Construction also paid the \$250 permit fee that day. Mr. Burgess wanted the Board to formally approve the action, so Mr. Stone moved to approve Development Permit #24-04 from Castle Rock Construction. Mr. Ewing seconded the motion, which carried unanimously.

Mr. Stone moved to approve the meeting minutes for June 18, 2024. Mr. Ewing seconded the motion, which carried unanimously.

Mr. Piper received one sealed bid for construction management of the County Road 32 Over Big Sandy Creek Bridge Rehabilitation project. The \$485,483.28 bid from RockSol Consulting Group included a fee estimate for construction management, inspections, and materials testing. Mr. Burgess wanted to know if the test lab was part of the bid, but Mr. Piper said it didn't specify. When Mr. Burgess said it would all be county funds, Mr. Piper told him he thought the grant application covered at least part of it. The Board agreed to ask Travis Miller those questions before accepting the bid.

Mr. Ewing moved to approve the Colorado Division of Veterans Affairs County Application for Semiannual Payment. Mr. Stone seconded the motion, which carried unanimously.

Mr. Piper explained the 2023 Cost Allocation Plan and Indirect Cost Rate as the DHS audit relating to the various departments' hours spent performing duties for Human Services. He noted that the State Department of Human Services would reimburse the county roughly \$61,000; it would be more in future years once they included James Martin's hours. Mr. Piper said Travis Miller mentioned Indirect Cost Rates and wondered if they could do something similar for Road & Bridge.

Mr. Stone moved to approve the 2023 Cost Allocation Plan and Indirect Cost Rate, and Mr. Ewing seconded the motion, which carried unanimously.

Mr. Stone reported speaking with Judd Kravig on June 19. District 3 was finally fully staffed, with all crew members holding CDLs until one quit today. Mr. Stone checked roads east of Karval on June 20. With the help of Districts 1 and 2, District 3 crew members chipped 2.8 miles on June 24. He and Mr. Burgess attended the Cheyenne Kiowa Lincoln Early Childhood Council (CKLECC) task force meeting the previous day.

Mr. Ewing reported talking to Chris Monks on June 9 about heavy rain that did minor road damage. A landowner called on June 11 regarding some trees at County Roads 2W and 29; Mr. Ewing contacted Mr. Monks, who promised to check into it and offer help. Mr. Ewing attended and enjoyed the county picnic on June 13. He also spoke with Chris Monks about an employee. On June 14, Mr. Ewing talked to Mr. Monks, and later with Mr. Burgess, about Castle Rock Construction damaging County Hwy 63 at Boyero; they promised to fix it. However, they hadn't as of June 18; Mr. Ewing again spoke with Mr. Monks. They talked about it again on June 20 and also about chipping in District 3 and later on County Road 2W. Mr. Ewing received an email from County Attorney Stan Kimble on June 24 concerning BESS (Battery Energy Storage Systems). Mr. Ewing had a question about bonds. He received an email from Emergency Manager Ken Stroud about the Colorado School of Mines bridge project. Mr. Ewing spoke with Mr. Monks about moving the chipper and the County Hwy 63 road damage. Mr. Monks planned to fix it before someone had an accident. Mr. Ewing checked roads on June 25, observing that Castle Rock Construction followed the agreed-upon route and stayed off County Hwy 63. The area the District 1 crew fixed looked good, but another soft spot was developing on County Road 2G; he informed Mr. Monks. When checking out the chipping project, Mr. Ewing attempted to help a District 3 crew member with their truck. Mr. Burgess sent Mr. Ewing a Road Use Agreement, which they discussed. Mr. Ewing spoke with Congressman Richard Holtorf and later Sheriff Nestor about SB24-131, Prohibiting Firearms in Sensitive Areas. Mr. Ewing attended the US Senate Sub-Committee Ag meeting in Burlington the previous day. Chairman Senator Bennet and Senator Marshall of Kansas oversaw fifteen testimonies concerning agricultural topics for the new Farm Bill. He also discovered more damage to County Road 2G.

Travis Miller with RockSol Consulting arrived at 9:25 a.m. Mr. Burgess told him the commissioners reviewed the bid and asked if it included testing labs. Mr. Miller said it did in the construction bid portion; a lab trailer would be on site. The bid was lower than what they included in the application, but the additional in the construction manual could be a cushion in case construction bids came higher than anticipated. If any received were too high, the commissioners could decide whether to obtain others. Mr. Miller suggested talking with TLM Construction, Lobato Construction, and Jalisco International about bidding on the project but cautioned the commissioners couldn't share the info from RockSol.

Mr. Ewing moved to conditionally accept the \$485,483.28 bid from RockSol Consulting Group, Inc., pending a CDOT waiver. Mr. Stone seconded the motion, which carried unanimously.

Mr. Miller said they'd spend what they needed and require a contract after CDOT approved everything, noting that CDOT accepted the construction package. The only time-critical portion of the project was the 404 permit sent to the Army Corps of Engineers; it typically took about

six months to approve. Mr. Burgess wanted to know if contacting a representative would speed things up or make matters worse, but Mr. Miller didn't know.

Mr. Kimble told Mr. Miller to give him any information he could for the contract, which he would draft. The group briefly discussed the detour, other required documents, timelines, and the bid advertisement.

John Mohan stopped in to say the compressor wasn't running on the air conditioning unit that cooled the commissioners' office, part of the clerk's office, and the election room. He said he'd check the fuses and call Jason Smith. Mr. Piper told him that DHS also reported that the AC didn't work in the front office. Mr. Mohan had unlocked the jury assembly room if the Board wanted to move the meeting somewhere with a cooler temperature.

Travis Miller and Chris Monks left at 9:55 a.m. as Human Services Director Andrew Lorensen arrived for his 10:00 a.m. appointment. The chairman recessed the Board of County Commissioner meeting and opened the Lincoln County Board of Human Services meeting.

Mr. Burgess asked if they were still helping Cheyenne County; Mr. Lorensen affirmed it and said they received the payments on time.

The Board reviewed the financial statements, employee timesheets, and the director's, Income Maintenance, and Child Welfare & Adult Protection reports.

Mr. Burgess brought up the complaint from the last meeting; Mr. Piper said Ms. Padilla filed a written complaint, but Ms. Tafoya did not. Mr. Lorensen explained that Ms. Padilla filed a Civil Rights complaint with Healthcare Policy and Finance (HCPF).

Mr. Kimble would draft a Findings and Order and send it to the Board as soon as he finished it. He noted that the judge already heard the case in District Court, and it seemed as if Ms. Tafoya was looking for another arena to present it, having not agreed with the outcome. If the court had already decided it, Mr. Kimble said there was nothing more to do; Ms. Tafoya had not followed the proper channels.

Mr. Lorensen agreed that neither party followed the appropriate channels; however, he was obligated to respond to the State Department regarding the Civil Rights complaint, although the allegations were false. When Mr. Burgess asked if the commissioners needed to do anything, Mr. Lorensen said to let the state handle it.

County Assessor Jeremiah Higgins and Nicholas Knutson arrived at 10:25 a.m.

Mr. Lorensen said the last business he had to discuss regarding the DHS office was that he and James Martin met at the family center in Limon and finished connecting the technology. Now fully functional, they can hold visitations and meetings via video; the Family Voice grant covered all those expenses.

Mr. Burgess adjourned the Board of Human Services meeting and reconvened the Board of County Commissioner meeting. Mr. Lorensen had a couple of requests as the County Coroner. The backup vehicle didn't run; they thought it was the fuel system. George's Repair could come and get it and replace the fuel pump and filters. Since it was their only backup vehicle, Mr. Lorensen felt the repairs were necessary. The hospital let them borrow its backup ambulance to transport once, but he wasn't comfortable doing that when the two entities didn't have an MOU in place. Mr. Lorensen hadn't brought the quote, and Mr. Burgess said he wanted to see it before deciding.

Mr. Lorensen asked the commissioners to allow him to have Watts Upfitting, Inc. install an aluminum-hinged custom rear ramp on the predominant coroner vehicle to cover the gap where they constantly catch the cot wheels. It would cost \$550. When Mr. Ewing asked if they could get a different cot design, Mr. Lorensen told him they designed the cots for ambulances, not pickups. Mr. Stone said it was fine, and Mr. Ewing agreed.

Mr. Lorensen also wanted to add a light bar to the front of the pickup for greater visibility. CSP officers have told him the vehicle is hard to see from the front, although the sides and back have sufficient lighting, making it visible from those angles. Mr. Ewing asked if they could transfer the lights to a different vehicle when needed, and Mr. Lorensen said they could. The interior front light bar was \$845 with a \$500 installation fee. The total estimate from Watts Upfitting, Inc. was \$1,895.00. The Board agreed to the purchases.

Lastly, Mr. Lorensen wanted to purchase CORHIO, which provides online access to hospital records of participating hospitals across the nation. When the coroner needs patient records, they have to send a written request, which can sometimes take up to four weeks to receive. The initial installation fee would cost \$500, with an annual license fee of \$119. The Board agreed it would be a good investment.

Mr. Lorensen left at 10:45 a.m., and the commissioners met with Mr. Higgins and Mr. Knutson about property value protests. Of the six protests filed, they denied one, adjusted four, and withdrew one. The total adjusted value was \$240,612. Mr. Higgins informed the Board that the property owner of one they had adjusted might bring their protest to the commissioners, but he wasn't sure. He couldn't disclose the party's name, but despite multiple attempts to contact them, they wouldn't respond to the assessor's request to see inside the house.

Lincoln Health CEO Kevin Stansbury arrived at 10:48 a.m.

Mr. Kimble told Mr. Higgins that his office does an excellent job of treating people with respect. Mr. Higgins responded that communication was key; they wanted people to talk to them. He noted that the valuation could be an error by the Assessor's office, but they wouldn't know that if people wouldn't accommodate them and let them do their jobs. Regarding the one protest that might move forward to the commissioners, Mr. Higgins said they had only taken pictures of the outside of the residence and based the valuation on that. If it did move forward, the

landowner would have to let the Assessor inside; otherwise, the commissioners should also deny it.

Mr. Higgins and Mr. Knutson left at 10:52 a.m., and Mr. Burgess asked Mr. Stansbury if the hospital hired a hospitalist, as he had heard that rumor. Mr. Stansbury said they actually had three on staff and explained that they cared for the in-patients, leaving the ER docs to focus on the ER and the others to remain working in their clinics. He noted they'd seen a twenty percent increase in volume since hiring them; it was a successful program.

Dave Smith arrived at 10:55 a.m.

Mr. Stone said they'd learned at the CKLECC meeting that some new doctors have had problems finding daycare. Mr. Stansbury hadn't heard that but said he'd follow up. He provided a financial report and gave an update on the upcoming July 30 board alum dinner, the 65th anniversary event with approximately one hundred attendees, and the September 21 gala. Mr. Stansbury touched briefly on federal lobbying and state priorities.

He, Mr. Smith, Hugo town administrator Sara Lancaster, Economic Development Director Troy McCue, and Genoa-Hugo School officials planned to meet to discuss a DOLA housing grant that opened on July 1. He noted the project had to be shovel-ready, but they wanted to learn all they could by going through the process. They would likely need to do it again, but any information they obtained would help. Mr. Piper said the county's first attempt was unsuccessful, but hiring a project engineer and having them there during the second application process was invaluable.

Mr. Stansbury and Mr. Smith left, and Mr. Burgess gave his commissioner report.

At the June 19 Economic Development meeting at Mountain View Electric, Mr. Burgess learned that a traffic flow study recorded 1.2 million people stopping at the Limon Flying J truck stop, putting it in the top five percent. The TA rated in the top twelve percent with 800,000 travelers. Travis Miller called Mr. Burgess about the bridge budget; it sounded like it would cost more than the grant funds received. Mr. Burgess asked Mr. Piper to see if Mr. Miller would meet with the Board today. Emergency Manager Ken Stroud called to say he'd be in Genoa on June 20 to discuss the Ewing bridge. Mr. Burgess planned to take Rod Hamacher to Genoa to look at the Chevy dump truck. Mr. Stroud had also told Mr. Burgess the County Road 2T tower generator wasn't working correctly.

On June 20, Mr. Burgess took Mr. Hamacher to Genoa to look at the 1990 Chevy dump truck; Mr. Hamacher said they would need to take it to his shop in Limon for repairs. Mr. Burgess talked to Mr. Stroud about the Ewing bridge and the tower on County Road 2T. They would need to get a new generator. Mr. Burgess wondered if the county could move the repeater to the tower south of Hugo on County Hwy 109. Mr. Burgess toured roads north of Genoa and Limon, and then he and Chris Monks went to Boyero to talk to Castle Rock Construction about county road use. They planned to draft a Road Use Agreement for County Roads 2G and 44.

Although County Road 44 is non-maintained, CRC agreed to grade and use it instead of County Hwy 63, allowing them better traffic flow. They had not applied for a development permit for the concrete plant, so Mr. Burgess had Mr. Stogsdill come to the location and explain it. The commissioners agreed to give a special exemption since the company was unaware it needed the permit. Following the customary procedure of having the Land Use Board review the application would have delayed the project by three to four weeks. Mr. Burgess attended the groundbreaking at the Genoa Tower.

Mr. Burgess worked on the Road Use Agreement for the Boyero project on June 21. He had Chris Monks look at it and then dropped it off with Mr. Kimble for his review. Mr. Stogsdill called to say that Castle Rock Construction submitted an application, and everything was in order. They hadn't obtained a permit when they set up the plant in Arriba, and Mr. Burgess noted that was the fault of the previous Land Use Administrator.

On June 24, Mr. Burgess spoke with District 2 Road Supervisor Bruce Walters about an employee interview scheduled for the following day. He also spoke with Diane Kimble about needing a Road Use Agreement on the 40/287 project. Mr. Burgess called Mr. Walters and asked him to take the Chevy truck to Mr. Hamacher for repairs.

Mr. Burgess and Mr. Walters interviewed the potential employee on June 25; they hired him, and he planned to start on July 22. Mr. Burgess spoke with CDOT Limon Resident Engineer Rhianna Poss about the Boyero project, and then he stopped at Rod Hamacher's to check on the truck. Mice had eaten some of the wiring. Mr. Burgess set up a meeting with CDOT, Castle Rock Construction, Chris Monks, and the commissioners for June 27. He attended a Zoom meeting with Prairie Development Corporation, where they presented an audit.

Mr. Burgess went to Genoa on June 26; the road crew chip-sealed 3.1 miles on County Hwy 109. He checked some roads and attended the CKLECC workshop to discuss the challenges of local childcare needs.

Mr. Kimble reported sending the commissioners the proposed Road Use Agreement on Monday. He noted that the county did a video analysis before the Xcel project, but since he didn't know how much detail the commissioners wanted to include, he included everything. They could remove what they didn't need.

Mr. Kimble contacted the Weld County attorney about biosolids and septage, but he was on vacation. They would send something when he returned.

Mr. Kimble and Mr. Stogsdill met to revise the battery storage regulations; Mr. Stogsdill said the commissioners wanted the Land Use Board to review them. They increased the application fee to \$500 and changed the setbacks to 1,000 feet from an occupied structure or water well unless the property owner waived the requirement. They also made the permits valid for three years instead of one. As for the timeframe, Mr. Kimble said the commissioners would have to publish

the notice two weeks before their hearing, and Mr. Stogsdill would need the same for the Land Use Board meeting. Mr. Burgess said having the regulations in place by July 31 would be nice.

Mr. Piper reported that John Mohan provided a \$108,135 quote from Valcore Roofing for another section of the courthouse roof. Mr. Piper said they budgeted \$130,000 and had spent \$120,000 so far this year. He suggested checking it when the commissioners completed their annual jail inspection in December. Mr. Burgess agreed, stating they could add it to the 2025 budget but had better see what happened with the County Hwy 109 bridge project first.

Mr. Piper reported receiving approval of the \$35,000 Gates Foundation grant for the roundhouse. The money would go toward the flooring. Mr. Burgess said they still needed to decide how to get rid of the bats, but he hadn't heard from the company in Denver. He suggested paying the fee to have them come out and look since they had no other options.

The Board set meeting dates for the rest of the year, and then Mr. Burgess asked the other commissioners what they wanted to consider for employee step raises next year. He suggested two steps again. Mr. Piper said they could start with that if they wanted to; county auditor Ronny Farmer said the county was in excellent financial shape.

The commissioners approved the June payroll, and then Mrs. Lengel said she had some new business to discuss. The Secretary of State completes annual audits of Voter Service and Polling Centers and county clerk's offices to offer suggestions and check compliance with election laws and rules. During the previous Saturday's audit, they said the county must do something with the accessibility lines and signs in the parking lot. The parking spaces were impossible to determine, and none of the accessibility paintings were easily identifiable. The signs had also sunk too low. They highly suggested fixing the problems before the November Presidential Election, even saying the county should repave and repaint the parking lot. Mrs. Lengel told them the Road & Bridge employees did it when they had time, but other critical projects tended to take precedence. Mr. Burgess said he would speak with John Mohan about it.

The group broke for lunch, and when the meeting reconvened at 1:00 p.m., Bookmobile Director Katie Zipperer met with the Board to discuss several items.

The bookmobile generator wasn't working, so they took it to Ty's RV Repair, LLC, after calling numerous repair shops that wouldn't work on it because of its size. They paid \$228 for a mechanic to tell them there was nothing wrong other than the bus needed \$300-\$500 of maintenance: oil, filters, etc., and that he would get them a parts list.

Twenty-five years of books shifting on the shelves have worn the enamel off the shelves down to the metal. Mrs. Zipperer said they've cleaned what they could, but the paint, wood, metal, and paper have transferred to the books with the friction from the bus movement. She found someone who would repaint the shelves if the county paid for the paint and supplies; the commissioners agreed.

With the passage of SB24-216, the Library Board must establish written policies concerning material reconsideration. Mrs. Zipperer met with the board members on June 20 to discuss it. They needed to change one paragraph in the current policy, but since it is not the Library Board's responsibility to create new policies but ensure staff follows them, Mrs. Zipperer said she would work on it. When she finishes it, she will bring it to the commissioners to approve the Bookmobile Policy Manual.

Mrs. Zipperer tendered her letter of resignation, stating she took the full-time librarian job at the Limon library; she will work until August 30. Mr. Burgess asked if Kevin Pickerill was interested in replacing her, but she said he was not. The Library Board wanted to conduct the interviews; Mr. Burgess said that was fine and would like someone hired by August 1 if possible. A couple of people expressed interest in the position; Mrs. Zipperer said she would update the commissioners with further information.

Mrs. Zipperer left, and Chris Monks arrived at 1:15 p.m. for the 2:00 p.m. discussion.

Mr. Stone asked if the county ever received any FEMA money. Mr. Piper said he had to set up an EFT account and assumed they were close to sending at least a portion of the funds.

Mr. Stone asked about filling CSU Extension Agent Emily Baylie's position, and Mr. Piper confirmed that CSU would do it. Mrs. Baylie planned to stay through the week of the county fair.

At 2:00 p.m., Castle Rock Construction Company Chief Operating Officer Amy Brooks, General Superintendent Travis Bell, CDOT Resident Engineer Rhianna Poss, and Project Engineer Felipe Lopez met with the Board to discuss the Boyero Bridge Replacement Project. District 1 Road Superintendent Chris Monks and Land Use Administrator Ty Stogsdill also attended.

Mr. Burgess requested the meeting to ensure that previous conversations hadn't led to misunderstandings. He and Chris Monks drove the haul route and voiced concerns about safety at the County Road 2J and Highway 40/287 intersection. Mr. Ewing thought the state should handle traffic control, but Mrs. Poss said CDOT didn't have a flagger.

Ms. Brooks provided project maps and explained the detour construction and removal haul routes; loaded trucks would travel County Road 2G to County Road 44, County Road 44 to County Road 2J, and County Road 2J to Highway 40/287. Empty trucks would take Highway 40/287 to County Road 2G. She noted that the detour was the safest way into the current work, bringing the trucks into the site traveling in the same direction as traffic. They adjusted the route when they realized they didn't want their trucks crossing incoming traffic. Mr. Bell stated that it was less risky having the trucks make the righthand turn when stopping on the highway; Ms. Brooks said they would switch and do it the opposite way when people started using the detour.

Mr. Ewing wanted to know how many loads they would haul, and Mr. Bell said there would be many because they would remove half a mile of a ten-foot shoulder; there would be significant truck traffic. They planned to spend approximately a week on the bridge removal haul route (Highway 40/287 to County Road 2G loaded and County Road 2G to County Road 44 to County Road 2J to Highway 40/287 empty), which would take them through July. They will also widen the road and add a passing lane.

Mr. Bell said they intended to haul in both directions for three weeks and again when they brought in the base. The most used route would be the one he'd just mentioned, which would likely also be the paving route. They would spend five days on the concrete paving, spanning two weeks to allow for the cure period.

Mr. Bell explained they would haul 6,500 tons, or 260 loads, of aggregate from Arriba using I-70 to County Hwy 109, County Hwy 109 to Highway 40/287 to County Road 2G. Empty trucks would take County Road 2G to Highway 40/287 and County Hwy 63 back to Arriba. They hoped to minimize what they brought from Arriba in July (1,000 to 1,500 tons) and finish the rest in August after the wheat harvest. The empty trucks using Hwy 63 bothered Mr. Ewing, and Mr. Bell said they could run on County Hwy 109 in both directions if the commissioners preferred. He said it would take longer, but they would do whatever the county directed. Mr. Monks said they could play it by ear, and Mr. Bell noted their timing would be more flexible after they crushed the material. If they get the aggregate crushed and screened, they could haul it earlier or later; they would coordinate with harvest crews to stay out of their way. Mr. Burgess asked if using County Hwy 63 as an emergency route would work, especially if it rained.

Ms. Brooks said they're prepared to fix whatever roads are necessary but wouldn't do any paving if heavy rains occurred. Mr. Bell said they'd do all they could to stay off County Hwy 63, and Mrs. Poss asked if it would be okay to use it. Mr. Ewing said he'd prefer they didn't. Ms. Brooks noted that County Road 2G was also an option when they were in the work zone, and travelers were using the detour. Mr. Bell said the fewer county roads they have to use, the better, but making the turn wouldn't work until they opened the detour. Mrs. Poss commented that she didn't want trucks making U-turns on the state highway and wanted the safest solution for everyone.

Mr. Monks wanted it known that cattleguards belonged to landowners, so if anything happened to them, it was the construction company's responsibility to fix them.

Mr. Bell also noted that the company would make the rock for the concrete at Arriba, but the sand would come through Lamar from Kansas. Ms. Brooks said the detour pavement aggregate would all come from Lamar and that there was a minimal amount of concrete in the project. She addressed the Road Use Agreement and said they hadn't included the haul road to Arriba; she asked if they needed to include the maps, and the Board said yes.

Mrs. Poss asked if the county signed Road Use Agreements with all construction companies; if so, she would inform future contractors. Mr. Burgess told her the county started the practice

when wind farms first came to the county. Mr. Monks explained that Xcel Energy chose the roads they wanted to use and supplied the materials and staff to fix them, but if they hadn't, the county would have done it and billed them. Mrs. Poss asked if companies could pick whatever roads they wanted if they maintained them; Mr. Monks said it depended on the circumstances. Xcel had chosen not to use oiled roads because they didn't want to pay the expense of maintaining them. Mr. Stone commented that the county had trouble with truck drivers leaving designated routes, resulting in extensive road damage in certain areas.

Ms. Brooks said the last paragraph in Section 4 addressed road maintenance and wanted to know if that meant the construction company had to enforce it. Mr. Piper told her that when it happened in the past, the county fixed the roads and billed the construction company; Mr. Monks said it was up to the construction company to deal with the truckers. Ms. Brooks clarified that the county would impose a fine on CRC, and when Mr. Monks confirmed it, Ms. Brooks said they lease the trucks. While the subcontractors couldn't fire truck drivers, they could make the haul routes clear to them.

Felipe Lopez apologized for the oversight regarding the pre-construction meetings and said that discussions like this one needed to occur before those meetings in the future.

Ms. Brooks asked if CRC would have the opportunity to address the issue before the county fixed the road and billed them for it; she would prefer a chance to investigate and take care of it herself. Mr. Burgess said she could send the verbiage to Mr. Piper, and they could add it to the Road Use Agreement. Ms. Brooks also felt there was conflicting language in Section 5 regarding repairs and maintenance, where it noted "immediately addressed" but later referenced "within seven (7) days." She said they couldn't address anything immediately but felt that "within 24 hours or a reasonable timeframe" would work. Mr. Lopez said the severity of the situation might determine the repair timeline. CDOT would put up signs where requested.

Mrs. Poss said they would like to be involved and notified of weekly inspections; since CDOT must facilitate corrections, it needs to be aware of any problems. She asked Mr. Monks if he planned to perform weekly or daily site visits, and he said he'd like to know if they were hauling fifty to one hundred loads a day. Mr. Bell said there would be a lot of trucks on the routes the week of July 8.

Mr. Stogsdill commented that Ms. Brooks hadn't known about the batch plant Development Permit requirement and clarified that it was necessary on private land but not state ground.

Mr. Lopez asked the commissioners to share any updates the county made to its Road Use Agreement. Mrs. Poss said CDOT wasn't typically as involved as this; they generally ensured the companies followed the rules and safety procedures.

Before the group left, Mr. Stone asked Ms. Brooks and Mr. Bell if Castle Rock Construction Company was interested in bidding on the County Hwy 109 bridge project. He explained some details, and Ms. Brooks said to let them know when they seek bids.

With no other business to discuss, Mr. Burgess adjourned the meeting at 3:00 p.m. The next meeting will be at 9:00 a.m. on July 8, 2024.

Corinne M. Lengel, Clerk of the Board

Steve Burgess, Chairman