

Board of County Commissioners of Lincoln County  
Agenda for August 28, 2025

- 9:00 Call to order and Pledge of Allegiance
- 9:00 Bid opening for the Lincoln County Annex parking lot project
- 9:30 Andrew Lorensen, Human Services Director, to present the Department of Human Services monthly report
- 10:00 Kevin Stansbury, Lincoln Community Hospital CEO, to provide an LCH report
- 10:30 Ken Stroud, Emergency Management Director, to discuss a mutual confidentiality agreement with Xcel Energy regarding GIS data
- 11:00 Public Hearing to review and act upon proposed Resolution #1161; a resolution amending the Lincoln County Zoning Resolution to update regulations regarding “residential development permits”

-To be completed as time permits-

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1. Approve the minutes from the August 19, 2025, meeting
2. Review and act upon a letter to the Governor’s Office regarding unfunded state mandates
3. Review and act upon an engagement letter with rfarmer, LLC regarding auditing services for Lincoln County
4. Discuss an appointment for a vacancy on the Lincoln County Bookmobile Board
5. Review and act upon proposed Resolution #1162; a resolution authorizing a proposal to the voters of Lincoln County to increase the countywide Lodging Tax from 2% to 6%
6. County Commissioner reports
7. County Attorney’s report
8. County Administrator’s report
9. Old Business
10. New Business
11. Approve Payroll

The Board of Lincoln County Commissioners met at 9:00 a.m. on August 28, 2025. Chairman Wayne Ewing, commissioners Robert Safranek and Terry Jaques, county administrator Jacob Piper, and clerk of the Board Corinne M. Lengel attended. Stacy Loutzenhiser from Farm Credit was present when the meeting began.

Chairman Ewing called the meeting to order and asked Mr. Safranek to lead the Pledge of Allegiance. Mr. Jaques said a prayer.

Mr. Piper had received two bids for the annex parking lot project, which he opened and reviewed. The first, from Jerry's Custom Concrete, was for \$22,951.50. The Structures Unlimited bid was \$38,910. Mr. Safranek asked if both listed all requirements, which they did.

Mr. Jaques moved to accept the \$22,951.50 bid from Jerry's Custom Concrete for the annex parking lot project. Mr. Safranek seconded the motion, which carried unanimously.

Mr. Loutzenhiser wanted to discuss the fairgrounds show barn and how the county had outgrown it based on the number of 4-H kids showing animals at the county fair a couple of weeks ago. He felt it was time to add an enclosed structure to the building that residents could utilize year-round. Mr. Loutzenhiser recommended an agricultural multiuse building with a dirt floor and bleachers; something big enough for a show ring and the horse program. He noted that Farm Credit saw the need and would likely contribute a sizable amount. Mr. Ewing asked how large a building would fit the needs; Mr. Loutzenhiser said that a 150' x 200' steel frame building would accomplish the show barn need. In discussing the location, Mr. Jaques noted that the utilities are east of the existing structure; Mr. Loutzenhiser said they could relocate them if necessary. Mr. Ewing suggested the south end and mentioned a recent request for a horse barn, which the county could rent. The Board agreed it was worth further conversation and indicated that Mr. Loutzenhiser should talk to the Fair Board at the September 9 meeting.

Human Services Director Andrew Lorensen arrived at 9:17 a.m.

Mr. Loutzenhiser felt the county must find a place for the kids to show their animals, noting that it was simply too crowded and bordering on unsafe. He asked what the next steps would be; Mr. Safranek told him that after discussing it with the Fair Board, they would have to consider how to fund it. Mr. Jaques proposed finding a non-profit group to orchestrate the project.

Mr. Loutzenhiser stated that the county would be better off using the money it spends on the tent for one week each year during the fair to fund a building with year-round availability instead. He had heard the tent cost was around \$25,000; Mr. Piper clarified that it was closer to \$12,000.

Mr. Loutzenhiser asked if the county would commit to matching funds; Mr. Jaques said the Board would have to discuss it during the budget process, as the cost of running the county continually increases. He added that the commissioners and Tourism Board wanted to put forth a ballot issue to increase the lodging tax, of which the county retained a significant portion. Mr.

Piper commented that they had yet to answer the question of whether the county could spend those funds on government property; they would need to ask the county attorney. He noted that someone should engineer the project if they moved forward with it. Mr. Safranek said they needed a consensus on the building specifications before even considering looking for funding.

Mr. Loutzenhiser thanked the Board and left at 9:25 a.m.

Mr. Ewing recessed the Board of County Commissioners meeting and opened the Lincoln County Board of Human Services meeting. The Board reviewed the August financial statements, employee timesheets, Income Maintenance, Child Welfare/Adult Protection, and the director's monthly reports.

Mr. Jaques asked Mr. Lorensen if he communicated much with Veterans Service Officer Joy Johnson; Mr. Lorensen said he did occasionally, but typically as the coroner, not the DHS Director. When Mr. Jaques said there were grant funds available to veterans, Mr. Lorensen responded that vets could potentially receive benefits from DHS and still get grant money.

Mr. Ewing inquired whether DHS had observed changes to specific programs due to the economy, but Mr. Lorensen stated that things remained steady, with no unexpected spikes anywhere. He explained that their fiscal year budget just started, and while it looked good so far, the county administration always experienced underfunding. Fifty of the sixty-four counties overspent their county administration budgets last year. Mr. Lorensen hoped to find ways to offset it by adjusting expenses such as his salary, half of which typically comes from the county admin line item. If he spends more time on Child Welfare, for instance, he can allocate that time to that program rather than county admin.

Mr. Lorensen provided a justification sheet to move Mary Solze into an 80/20 position; he noted that the three-quarter-time they originally requested didn't fit the department's needs as they had thought. As an 80% employee, Mrs. Solze would be eligible for benefits, 80% of which would be covered by state funds. While she already handles supervisor duties, QAQC, fraud, and backs up the other technicians, Mrs. Solze agreed to take Colorado Works training to learn that program as well. The additional hours would prepare her to take over Robert Kraxberger's position when he retires.

Mr. Jaques moved to approve the request to allow Mary Solze to start at Level 4, Step 7, with a salary of \$3,417.60 and benefits, effective immediately. Mr. Safranek seconded the motion, which carried unanimously.

Lincoln Health CEO Kevin Stansbury arrived at 9:50 a.m.

Mr. Ewing inquired about the federal side of the SNAP program; Mr. Lorensen replied that he had a SNAP Max meeting scheduled for that afternoon, but the changes wouldn't take effect until 2026 or 2027, so there was still time to figure things out.

Mr. Lorensen reported that they had \$2,300 of the \$20,000 Family Voice Grant funds left, which they would spend.

Mr. Lorensen left, and Mr. Ewing adjourned the Board of Human Services meeting and reconvened the Board of County Commissioners meeting.

Mr. Stansbury gave his report, stating that July was a terrible month financially, putting them half a million dollars below budget. He noted they've suffered a \$1.8 million loss year-to-date. They continue to extend negotiations with Anthem; however, Mr. Stansbury wanted the commissioners to be aware of Anthem's decision to cut individual insurance plans in Colorado, effective January 1, 2026. Rocky Mountain Health also plans to leave the state. Mr. Stansbury felt it was because OB3 eliminated premium tax credits. While the special legislative session was supposed to address the issue, it didn't. Mike O'Dwyer is committed to solving the problem for residents, while Congress has indicated it hopes to reestablish the premium tax credits.

Emergency Manager Ken Stroud arrived at 10:05 a.m.

Mr. Stansbury said he would try to communicate the ongoing hospital problems to the community more effectively; the building is safe, but it continues to present new challenges. Recently, the HVAC controls failed, and a piece of the fire suppression system pipe deteriorated.

Finally, Mr. Stansbury spoke briefly about Medicaid funding, the UC Health/HCPF lawsuit, and the Hospital Revitalization Act.

Mr. Ewing asked if Glen Marciniak with the Veterans Administration had contacted him; Mr. Stansbury said he hadn't, but that he needed to get in touch with Mr. Marciniak.

Mr. Stansbury left, and Rob Larsen stopped in to leave what he assumed was a time capsule from the old courthouse. It contained newspaper clippings and items dating back to the early 1900s. The Board thanked Mr. Larsen and said they would find a place for the items.

Ken Stroud clarified that the mutual confidentiality agreement with Xcel Energy regarding GIS data could be more beneficial than he stated when the commissioners called him during the previous meeting. He hadn't fully understood the necessity or benefit of having access to Xcel's GIS data. After further investigation, he learned that Xcel was planning a multi-state and county tabletop exercise in November. When Mr. Jaques asked if the governor's office pushed the issue, Mr. Stroud said the state OEC would also be involved in the exercise.

Mr. Ewing asked why Xcel didn't want the media involved; Mr. Piper said the county would have to follow its CORA policy for anything legally attainable. He assumed the NDA kept entities from posting GIS information on social media. Mr. Safranek asked if the county wanted the liability; Mr. Piper and Mr. Stroud weren't concerned and felt they might never access the information.

Miss Lowery had requested language that Xcel included and had no issues with the commissioners signing the agreement.

Mr. Jaques moved to sign the non-disclosure agreement with Xcel Energy regarding GIS data, commenting that Xcel hadn't done much to secure the county's trust lately. Mr. Safranek seconded the motion. Mr. Ewing requested further discussion and then asked Mr. Stroud if he saw any benefits; he did, particularly in planning for future wind towers, solar farms, or BESS storage. The motion carried unanimously.

Before he left, Mr. Stroud said that Ted Lucero would extend the FEMA grant projects to February of 2026, which would give the county time to wrap things up.

Mr. Safranek moved to approve the meeting minutes for August 19, 2025. Mr. Jaques seconded the motion, which carried unanimously.

After reviewing a letter to Governor Jared Polis, Senate President James Coleman, and House Speaker Julie McCluskie regarding unfunded mandates, Mr. Safranek moved to sign the letter. Mr. Jaques seconded the motion, which carried unanimously.

Land Use Administrator Ty Stogsdill and Rayleen Thompson arrived at 10:40 a.m.

Mr. Safranek took a phone call from Sheriff Nestor and then reported that the sheriff had found two UTVs for \$8,500 each.

The Board reviewed an engagement letter with rfarmer, LLC, regarding Lincoln County auditing services. The only change in the three-year agreement was a three percent price increase. Mr. Safranek asked if the state required counties to change auditors periodically; no one was aware of such a requirement. Mr. Piper said the General, Road & Bridge, and Human Services budgets split the overall cost each year; he mentioned liking working with Mr. Farmer, who seems to do a little more than most.

Mr. Jaques moved to sign the engagement letter with rfarmer, LLC for auditing services. Mr. Safranek seconded the motion, which carried unanimously.

Mr. Safranek moved to accept Maria Root's resignation from the Bookmobile Board and appoint LaRita Sawyer from Arriba to replace her. Mr. Jaques seconded the motion, which carried unanimously.

Shortly before 11:00 a.m., Mr. Piper connected County Attorney Kelly Lowery to the meeting via Teams.

At 11:00 a.m., Mr. Ewing opened a public hearing to review and act on proposed Resolution #1161, a resolution amending the Lincoln County Zoning Resolution to update regulations regarding residential development permits. No one else attended the hearing, which Mrs.

Lengel recorded. The hearing recording will remain in the County Clerk's vault for the statutory period.

Mr. Stogsdill explained that the Land Use Board held a workshop at which they agreed to update the definitions and regulations, including allowable manufactured homes (1976 or newer, as per HUD regulations), definitions for junk and junkyards, and fines. Mr. Ewing asked how the county could enforce the fines; Miss Lowery said it was a simple process to add them to the tax rolls after proper notification.

Mr. Stogsdill hoped to begin addressing problems and noted that written complaints were no longer necessary in certain instances; Miss Lowery said that junkyard status would still require written complaints. She noted that the adoption of the resolution would lift the moratorium; thereafter, everyone must comply with the Zoning Resolution. Mr. Stogsdill said that the subdivision regulations were still stricter, as any property under thirty-five acres had to abide by those rules. However, if someone bought a hundred and sixty-one-acre tract, they would bypass the development permit regs and abide by the building permit regs. The county hadn't changed the zoning on anything under one hundred and sixty acres; it was still agricultural.

Mr. Jaques moved to adopt a resolution amending the Lincoln County Zoning Resolution to update regulations regarding residential development permits. Mr. Safranek seconded the motion. Mr. Ewing called for a voice vote: each commissioner voted in favor of adopting the resolution, which passed unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado held in Hugo, Colorado on August 28, 2025, there were present:

Wayne Ewing, Chairman	Present
Robert Safranek, Vice Chairman	Present
Terry Jaques, Commissioner	Present
Kelly Lowery, 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:

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, LINCOLN COUNTY, COLORADO, AMENDING THE LINCOLN COUNTY ZONING RESOLUTION TO UPDATE REGULATIONS REGARDING "RESIDENTIAL DEVELOPMENT PERMITS"**

**RESOLUTION #1161** It was moved by Commissioner Jaques and seconded by Commissioner Safranek to adopt the following resolution:

**WHEREAS**, the Board of County Commissioners of Lincoln County, hereinafter referred to as the "Board" did approve the Lincoln County Zoning Resolution on April 18, 2002, which Zoning Resolution has since been subject to amendment; and

**WHEREAS**, C.R.S. 30-28-116 allows for Counties to amend zoning resolutions under a prescribed method and procedure; and

**WHEREAS**, after reviewing the definitions and regulations set forth in the Zoning Resolution, the Board of County Commissioners has determined that it is in the best interests of the citizens of Lincoln County, Colorado, to amend the Zoning Resolution to implement and update definitions and regulations pertaining to residential development permits.

**NOW, THEREFORE BE IT RESOLVED** that the Zoning Resolution, upon approval as required by statute, shall be amended as follows:

**DEFINITIONS:**

**Dwelling, Single-Family:** A building of a single dwelling unit only, Separated from other dwellings units by open space. Mobile Homes manufactured prior to 1976 shall not all be permitted for any use in Lincoln County.

**Junk:** Old or scrap copper, brass, rope, rugs, batteries, paper, trash, rubber debris, waste; or junked, dismantled, or wrecked automobiles, appliances, or parts thereof; iron, steel and other old or scrap ferrous or nonferrous material. Junk also means a vehicle that is incapable of operating on roads and is no longer a vehicle because it has been destroyed, dismantled, or changed. These vehicles may not be issued a certificate of title, and any title secured in the purchase of such a vehicle is to be surrendered to the department, which shall cancel the vehicle identification number and remove the vehicle from the motor vehicle system. Also to include campers, camper trailers and mobile homes. At any time, there can be no more than 2 vehicles or other listed at one time on a parcel of property under 160 acres requiring development permit approval.

**Junkyard:** Any establishment of place of business or a private parcel of land owned by an individual, individuals, or company which is maintained, operated, or used for storing, keeping, buying, or selling junk.

Upon adoption of this Resolution, Section 1-200 "Development Permits Required" shall be amended as follows:

- Lincoln County Development Permits for Land Parcels under 160 acres are zoned Agricultural. Which will include a Home and Outbuildings, at any time the Landowner wants to change the parcel for any other use, the Landowner will be required to apply for a Variance with the Land Use Office and be subject to fees or a public hearing in front of the Land Use Board and Board of County Commissioners.

Upon adoption of this Resolution, Section 1-340 "Development Permits Required" shall be amended as follows:

- Whoever violates any provision of this Zoning Resolution or of a permit issued under this Zoning Resolution or does not obtain a permit when required by this Zoning Resolution shall be in violation of this Zoning Resolution. Each day's continuation of such violation shall constitute a separate offense.
  - **A. Fines.** Any party in violation of this Zoning Resolution shall be fined not more than one thousand dollars (\$1000) for each offense. For each violation a party shall have 15 (fifteen) days once the party has received notice of the violation

(“Cure Period”). Notice shall be deemed effective as of the date the Notice is mailed, posted, and/or served on the party. If the party fails to cure the violation during the Cure Period, the fine will increase by one hundred dollars (\$100) daily until the violation is cured.

This Resolution, upon final passage as dictated by C.R.S. 30-28-116, shall take effect upon final approval by the Board of County Commissioners.  
Upon roll call the vote was:

Commissioner Jaques, Yes; Commissioner Safranek, Yes; Commissioner Ewing, Yes.

The Chairman declared the motion carried and so ordered.  
Board of County Commissioners  
of Lincoln County

ATTEST:

\_\_\_\_\_  
Clerk of the Board

Mr. Ewing concluded the public hearing at 11:12 a.m.

Miss Lowery reported that she’d spent most of her time lately working on the resolution to ask voters to increase the lodging tax. She had received an email from Sara Kellner with PSCo and felt they were making progress.

When asked about using lodging tax for roundhouse repairs and maintenance, Miss Lowery said it was a stretch to use those funds on county buildings. She noted that they would have to review the funds and determine which projects met the criteria. Mr. Jaques asked if it would be different if the county turned the roundhouse over to a non-profit organization; Miss Lowery said they could turn it over to the Tourism Board.

Mr. Safranek moved to adopt a resolution authorizing a proposal to the Lincoln County voters on the November 4, 2025, Coordinated Election ballot to increase the countywide Lodging Tax from 2% to 6%. Mr. Jaques 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 August 28, 2025, there were present:

Wayne Ewing, Chairman	Present
Robert Safranek, Vice Chairman	Present
Terry Jaques, Commissioner	Present
Kelly Lowery, County Attorney	Present
Corinne Lengel, Clerk of the Board	Present



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

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LINCOLN COUNTY, COLORADO AUTHORIZING THE SUBMISSION OF A PROPOSAL TO THE VOTERS OF LINCOLN COUNTY CONCERNING AN INCREASE OF THE COUNTYWIDE LODGING TAX BY FOUR PERCENT TO ESTABLISH A COUNTYWIDE LODGING TAX OF SIX PERCENT (6%). WHEREAS SUCH PROPOSAL SHALL PROVIDE INCREASED FUNDING FOR THE ADVERTISING AND MARKETING OF LOCAL TOURISM, HOUSING AND CHILDCARE FOR THE TOURISM-RELATED WORKFORCE, INCLUDING SEASONAL WORKERS, AND FOR OTHER WORKERS IN THE COMMUNITY, AND FACILITATING AND ENHANCING VISITOR EXPERIENCES IN LINCOLN COUNTY PURSUANT TO SECTION 30-11-107.5, COLORADO REVISED STATUTE (“C.R.S.”) AND COLLECTED, ADMINISTERED, AND ENFORCED, TO THE EXTENT FEASIBLE, PURSUANT TO SECTION 29-2-106, C.R.S.**

**RESOLUTION #1162** It was moved by Commissioner Safranek and seconded by Commissioner Jaques to adopt the following resolution:

**WHEREAS**, the County of Lincoln (the “County”) in the State of Colorado (the “State”) is a county duly organized and existing under the Colorado Constitution (the “Constitution”) and laws of the State; and

**WHEREAS**, the members of the Board of County Commissioners of the County (the “Board”) have been duly elected, chosen, and qualified; and

**WHEREAS**, C.R.S. §30-11-107.5, authorizes counties to levy a countywide lodging tax upon the approval of a majority of the registered electors of the county voting on such proposal;

**WHEREAS**, on November 4, 2008, the Lincoln County voters approved the current County lodging tax of two percent (2%) that went into effect on January 1, 2009; and

**WHEREAS**, the Board of County Commissioners of Lincoln County deem it to be in the best interest of Lincoln County to propose to the voters of Lincoln County to increase the current countywide lodging tax of two percent (2%) by an additional four percent (4%) for a total tax of six percent (6%) upon the purchase price paid or charged to persons for room or accommodations as included in the definition of “sale” in Section 39-26-102(11), C.R.S, for the purpose of advertising and marketing of local tourism, housing and childcare for the tourism-related workforce, including seasonal workers, and for other workers in the community, and facilitating and enhancing visitor experiences; and

**WHEREAS**, no tax shall apply within any municipality in the County already levying a lodging tax prior to this Resolution.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LINCOLN COUNTY, COLORADO, THAT:**

**GENERAL PROVISIONS**

**1. Purpose.**

The purpose of this lodging tax proposal and this resolution is, upon the approval of a majority of registered electors of the County voting on such proposal, to increase the current countywide lodging tax of two percent (2%) by an additional four percent (4%) for a total tax of six percent (6%) upon the purchase price paid or charged to persons for room or accommodations as included in the definition of “sale” in Section 39-26-102(11), C.R.S. (“Lodging Tax”). The revenues generated by the Lodging Tax are for the purpose of funding advertising and marketing of local tourism, housing and childcare for the tourism-related workforce, including seasonal workers, and for other workers in the community, and facilitating and enhancing visitor experiences in the County. If so approved, the Lodging Tax shall become effective January 1, 2026.

**2. Ratification; Statutory Definitions Incorporated.**

All action heretofore taken (consistent with the provisions of this Resolution) by the County and the officers thereof directed toward the election and the objects and purposes herein stated is hereby ratified, approved and confirmed. For the purposes of this Resolution, and except as otherwise provided herein, the definitions of the words contained herein shall be defined in Section 39-26-102, C.R.S.

**3. Tourism Fund.**

All of the revenues generated from the imposition of the Lodging Tax, except those amounts retained under Section 30-11-107.5(2), shall be credited to a special fund designated as the County’s Lodging Tax Fund (“Fund”). The Fund, pursuant to Section 30-11-107.5(4)(a) shall only be used for the purposes approved by the voters in the County and to reimburse the County’s General Fund for the cost of the election in accordance with Section 30-11-107.5(3)(d). No revenue collected from the County’s Lodging Tax shall be used for any capital expenditures, with the exception of capital expenditures for housing and childcare for the tourism-related workforce, including seasonal workers, and for other workers community; capital expenditures related to facilitating and enhancing visitor experiences, and tourist information centers, unless allowed for in subsequent legislation.

Upon approval of the ballot to be submitted under the ballot title set forth in Section 18 hereof a majority of the registered electors of the County voting thereon at the November 4, 2025, coordinated election, the imposition of the Lodging Tax pursuant to this Resolution shall be authorized and the revenues generated by the Lodging Tax shall be collected pursuant to Section 29-2-106, C.R.S.

**4. Effect of Voter Approval under Article, Section 20, of the State Constitution.**

Upon the approval of the ballot issue as provided under Section 18 hereof, all of the revenues of the Lodging Tax shall be credited and spent as set forth above in Section 3 in this Resolution as a voter approved change and exception to the limits which would otherwise apply pursuant to

Article X, Section 20 of the Constitution without limiting in any year the amount of other revenues or funds that may be collected by the County.

**5. No Municipal Distribution.**

None of the revenues for the Lodging Tax shall be distributed to the incorporated cities and towns within the County.

**LODGING TAX**

**6. Transactions Subject to Lodging Tax; Exemptions.**

Upon the approval of a majority of registered electors of the County voting on such proposal to increase the current countywide lodging tax of two percent (2%) by an additional four percent (4%) for a total tax of six percent (6%) upon the purchase price paid or charged to persons for room or accommodations as included in the definition of “sale” in Section 39-26-102(11), C.R.S. (“Lodging Tax”), no County Lodging Tax shall apply within any municipality levying a lodging tax. At the time of the proposal of the County Lodging Tax by this Resolution, no municipality in the County levies a lodging tax.

The revenues generated by the Lodging Tax are for the purpose of funding advertising and marketing of local tourism, housing and childcare for the tourism-related workforce, including seasonal workers, and for other workers in the community, and facilitating and enhancing visitor experiences in the County. If so approved, the Lodging Tax shall become effective January 1, 2026.

**7. Lodging Tax Rules and Regulations.**

The Lodging Tax shall be imposed in accordance with schedules and other applicable provisions set forth in the rules and regulations of the Department of Revenue of the State to the extent they are consistent with the Resolution, and in accordance with any rules and regulations which may be enacted by separate resolution by the Board.

**8. Collection, Administration and Enforcement.**

The Lodging Tax shall be collected, administered and enforced in accordance with Sections 29-2-106, C.R.S. Such sections are incorporated by reference into this Resolution as if set forth herein. If this proposal is approved by the coordinated election held on November 4, 2025, the County Clerk shall immediately transmit a copy of this Resolution to the Executive Director of the Department of Revenue of the State, in any event no later than 45 days prior to January 1, 2026.

**ELECTORS; PUBLICATION**

**9. Submission to Electors.**

The Lodging Tax proposal set forth in this Resolution shall be referred to the registered electors of the County as a ballot issue at a coordinated election to be held November 4 2025, which is hereby called by the Board. Because the election will be held as part of the coordinated election, the County Clerk & Recorder shall conduct the election on behalf of the County. The Board hereby certifies such ballot issue to the County Clerk & Recorder and hereby sets and fixes the

ballot title by which such ballot issue is to be submitted to the registered electors of the County, which shall read as follows:

LINCOLN COUNTY  
LODGING TAX

SHALL THE CURRENT TWO PERCENT (2%) LINCOLN COUNTY LODGING TAX BE INCREASED \$314,246.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY IN EACH SUBSEQUENT YEAR BY THE LEVYING OF AN ADDITIONAL FOUR PERCENT (4%) MARKETING AND PROMOTION TAX ON THE PURCHASE PRICE PAID OR CHARGED TO PERSONS FOR ROOMS OR ACCOMMODATIONS WITHIN THE COUNTY, COMMENCING IN 2026 AND CONTINUING THEREAFTER, WITH UP TO NINETY PERCENT OF SUCH REVENUE TO BE USED FOR THE DEVELOPMENT, CONSTRUCTION, OPERATION, AND PROVISION OF HOUSING AND CHILDCARE FACILITIES OR SERVICES FOR THE TOURISM-RELATED WORKFORCE, INCLUDING SEASONAL WORKERS, AND FOR OTHER WORKERS IN THE COMMUNITY WITH SUCH SPECIFIC PROJECTS TO BE PRIORITIZED AND RECOMMENDED BASED ON ANY INTERGOVERNMENTAL AGREEMENT THE COUNTY EXECUTES FOR THAT PURPOSE, AND AT LEAST TEN PERCENT (10%) OF SUCH REVENUE TO BE USED FOR MARKETING AND PROMOTION OF BUSINESSES AND EVENTS WITHIN THE COUNTY; AND SHALL THE COUNTY BE AUTHORIZED TO COLLECT, KEEP AND SPEND ALL REVENUES RECEIVED IN 2026 AND EACH YEAR THEREAFTER WITHOUT REGARD TO ANY SPENDING, REVENUE, OR OTHER LIMITATION IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER STATUTORY LAWS OF THE STATE OF COLORADO?

YES \_\_\_\_\_

NO \_\_\_\_\_

**10. Election Administration**

Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue concerning the order of the ballot or the form or content of the ballot title shall commence within five days after the title of the ballot issue is set or the order of the ballot is set. The cost of such election shall be paid from the General Fund of the County. Notice of election, including submission of the ballot issue, shall be given, and the election shall be held and conducted and the results thereof shall be determined, so far as practicable, in conformity with the election laws of the State (including without limitation, the Uniform Election Code of 1992), other applicable provision of the Constitution (including, without limitation, Article X, Section 20 thereof) and laws of the State, and all applicable requirements of the Federal Voting Rights Act.

**11. Designated Election Official.**

The Board of County Commissioners hereby appoints the County Administrator as the designated election official, who shall comply with all constitutional and statutory requirements for the submission of this issue to the electorate. The County Clerk shall cause the text of this

Resolution to be published in the official newspaper of Lincoln County, Colorado four (4) separate times. The County Clerk shall prepare and mail to all registered electors resident within Lincoln County all ballot notices and other materials as required by state law.

#### **12. Publications.**

The County Clerk & Recorder is hereby authorized and directed to publish the full text of this Resolution four separate times, a week apart, in the Limon Leader, the official newspaper of the County, which is a general circulation newspaper in the County and is also the official newspaper for the towns and incorporated areas of the County. All such publications shall be made in English to the extent consistent with federal and state law. The County Clerk & Recorder is further hereby authorized to include such additional information in such publications, and to make such additional publications, as may be necessary or appropriate in connection with this Resolution.

### **MISCELLANEOUS PROVISIONS**

#### **13. Effective Date: Applicability.**

- (a) The Board of County Commissioners of Lincoln County hereby declare that this resolution is necessary for the County and that it, therefore, shall become effective on January 1, 2026, if approved by the electorate at the November 4, 2025, coordinated election.

#### **14. Administration by County.**

The Board of County Commissioners of Lincoln County may adopt such uniform rules and regulations as may be necessary for the administration and enforcement of this Resolution. The Board of County Commissioners of Lincoln County or its authorized representatives are hereby empowered to enter into and execute on behalf of Lincoln County any agreements necessary for the administration and enforcement of this Resolution.

#### **15. Statutory References.**

All statutory citations in this Resolution shall be construed or refer to such statutes as the same may have been heretofore amended, and subject to any rights of owners of Bonds the outstanding as the same may hereafter be amended from time to time.

#### **16. Repeal and Amendment**

Once approved by the voters of Lincoln County, the provisions of this Resolution shall not be repealed or amended except by resolution of the Board of County Commissioners of Lincoln County approved by a vote of the electors of Lincoln County in the same manner as required for the approval of this resolution.

#### **17. Severability/Legal Challenges**

- (a) If any provision of this Resolution, or if the application of this Resolution to any person, entity or circumstance, is held invalid, such invalidity shall not affect any other provision

or application of this Resolution which can be given effect without the invalid provision or application, and to this end, the provisions of this Resolution are to be severable.

- (b) If this Resolution, or any provision contained therein, is challenged, the Lodging Tax levy authorized herein shall continue to be collected until such collection is prohibited by order of a court of competent jurisdiction. Further, in the event of such an order, no refund shall be made of moneys already collected.

### **18. Compliance with Constitutional Requirements**

In passing this Resolution, the Board of County Commissioners has made every effort to comply with the requirements of the TABOR Amendment, Section 20 of Article 10 of the Colorado Constitution, and with the statutory provisions which implement said provision. In the event, despite such effort, this Resolution fails to comply in any non-substantive or technical way with the requirements of said section, such noncompliance may be corrected by supplemental Resolution adopted by the Board of County Commissioners. In the event such a supplemental Resolution is adopted, this Resolution #1162 shall be read as though such changes had been incorporated in its original text.

Upon roll call the vote was:

Commissioner Jaques, Yes; Commissioner Safranek, Yes; Commissioner Ewing, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners  
of Lincoln County

ATTEST:

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Clerk of the Board

Mr. Ewing asked Miss Lowery about the process for selling an old gravel pit north of Arriba; she said the county would have to use the public bid process.

Mr. Piper mentioned gifting the park at the annex building to the town of Hugo. The town owns the parking lot and agreed to take the park; Mr. Piper said they needed to start the process.

Mr. Stogsdill said that Magellan Pipeline wanted two separate road use agreements, one for each contractor; Mr. Jaques wasn't interested in the proposal and said it should be with the primary company. Mr. Stogsdill commented that they would have to pull forty driveway permits for access and thought they should all be in the same road use agreement. He felt Magellan needed to sign the agreement and do its own policing of the contractors. Miss Lowery asked what the permit indicated; Mr. Stogsdill said that Resolution #1155's conditions clearly stated that Magellan Pipeline would enter into a road use agreement with the county. He noted that it

would be worthwhile to add the stipulation to future Special Use Review permits and resolutions.

Mr. Piper disconnected the call with Miss Lowery at 11:30 a.m.

Kenny Wheeler with Allium Renewable Energy met with the Board at that time. He provided an update on the construction work for the Arriba Wind project, noting they had completed the final inspection the previous day; everything was in order. Mr. Wheeler wanted to ensure there was nothing else they needed to do regarding the road use agreement before closing out the permit. Kit Carson County wanted them to replace the twelve-inch pipe on the approach and replace the rock they had used with gravel; otherwise, they had finished. Mr. Wheeler promised to send the final inspections, noting that their legal counsel had stated that the work they did met the qualifications, and they now have sufficient time to complete the project.

Mr. Jaques told Mr. Wheeler it was a highly professional job with which he was pleased. While they still needed to execute the building permit and sign the road use agreement, the plan was to begin building the rest in the fourth quarter of 2026, likely October, with a Q1 2029 start date. Mr. Jaques said the Arickaree Bridge wouldn't be ready for them to haul tower components across; Mr. Wheeler said turbine deliveries wouldn't happen until at least 2027, which was all they would need to transport across the bridge.

Mr. Jaques said that even if the county applied now, there was no guarantee it would have the money in time. Mr. Piper mentioned the off-system bridge grant; if they had the construction design, the county could have the funds as early as next year. Mr. Jaques said it would have to be shovel-ready. Mr. Wheeler offered his company's help, stating that they wanted to remain good partners of the county. He hoped to complete the development and building permits and sign the road use agreement by year's end. While there is no project infrastructure in Washington or Kit Carson counties, they would have to sign a road use agreement with the latter.

Mr. Wheeler and Mr. Stogsdill left at 11:45 a.m., and Mr. Ewing called for the commissioners' reports.

Mr. Safranek reported that he and District 3 road supervisor Judd Kravig toured roads and checked bridges on August 20; Mr. Safranek returned a road grader to the Karval shop. They received a road complaint on August 23, but learned it wasn't a county road, and the landowner would have to fix it. After receiving a different road complaint on August 24, they determined it wasn't a mapped county road and again the landowner's responsibility. Mr. Safranek talked to Judd Kravig on August 25. On August 26, they received a third road complaint; there was too much material on a county road, and the trash truck couldn't pick up trash. Mr. Kravig had it fixed, and while it was still wet and muddy, it was better. John Mohan called Mr. Safranek on August 27 to ask about tinting the windows at the sheriff's office. He approved \$1,355, but they only had to do one window, so they charged half. Scottish Window Tinting honored the April

estimate on the courthouse front windows and completed the work. Mr. Safranek also received a phone call from a retiring employee on August 27.

Mr. Safranek stated that Mr. Kravig wished to acquire another road grader for District 3, as one is nearing the end of its warranty. Since they had already used their Capital Outlay budget on the truck, Mr. Safranek asked how they could pay for it. Mr. Jaques said they would have the trade-in money, and Mr. Piper said that if it were more than the trade-in value, he would use the 2026 budgeted amount. Another option would be to lease. Mr. Safranek asked if the county had ever considered rentals, but Mr. Jaques said the repair costs would be astronomical. Mr. Ewing agreed but said they could look into it.

Mr. Jaques reported attending the Tourism Board meeting on August 19, where they voted to request a ballot issue to increase the lodging tax from 2% to 6%. On August 20, Mr. Jaques attended the economic development monthly meeting. Troy McCue presented that the EDC housing committee toured Hugo and Limon on August 6; they are working on plans for possible sites and included designs for in-home licensed childcare. Mr. McCue provided updates on a fundraiser to complete phase 1 of the Genoa Tower project. South Side planned a soft opening for the August 22 weekend, and Lucino's Mexican Diner anticipated opening at the former Alex Tavern. Wausau Supply has been delayed eighteen months to allow time for a decrease in interest rates, and the Lincoln Theatre has the new digital laser projector in place, which is working well. EDC updates also included the planned 150/250 celebration, discussions about a possible Data Center near Flying J, and that the Stockmens Bank hoped to find a branch location in Hugo. Mr. Jaques attended a Greg Lopez public meeting at the Fairgrounds. On August 21, Mr. Jaques met with staff in Genoa, checked roads, and reviewed the FEMA project at County Road 3V, east of County Highway 109. He and Bruce Walters went to Commerce City on August 25 to look at a used 2012 International plow truck, and Mr. Jaques attended a virtual off-road systems meeting on August 26. On August 27, he attended the Republican River Conservation District meeting in Burlington and saw a presentation on Cheatgrass management options. They also appointed board officers and provided updates, as well as a schedule of upcoming events. Senator Pelton and other commissioners from Washington and Yuma Counties also attended. Mr. Jaques and Mr. Walters discussed roads and a snowplow.

Mr. Ewing reported attending the Tourism Board and Genoa town board meetings on August 19. The Tourism Board approved a request to put the ballot issue to increase the Tourism Tax by four percent. Genoa was still dealing with nitrate problems, but its new maintenance personnel proved helpful throughout the town. Mr. Ewing signed the Assessor's abstract on August 20 and attended a CCI Zoom meeting for the special session, which began on August 21. On August 25, Mr. Ewing spoke with Travis Miller about the hot mix asphalt that did not meet the specifications; they would have to mill it. However, the bridge's concrete exceeded the required strength requirements. Mr. Ewing and Chris Monks discussed the asphalt and concrete, mowing, and road repairs south of Arriba and Bovina. On the Twenty-seventh, they addressed the asphalt milling, which was to occur on August 28, with asphalt laydown sometime the following week. District 1 had installed all the road signs for the year. Crews were working on



the Kinney Lake road for the holiday weekend. The employee hurt in the accident at the county shop hoped to come home, pleased with their progress.

Mr. Piper reported that the Underfunded Courthouse Grant opened; the architect provided preliminary drawings for the ADA-compliant jury assembly restrooms, but he still needed the final drawings and a cost estimate for the match.

The bridge grant opened, with applications due on November 7. Mr. Piper asked if the commissioners wanted to have it designed first or apply for both design and construction. Mr. Jaques noted that shovel-ready projects tended to have a better chance, and the county would have to involve engineering at some point anyway. He felt it wasn't worth the time without the design and cost estimates. Mr. Ewing asked if they should start working on the design and submit the application the next time it opened. Mr. Piper said they could apply for the design and construction grants and hire RockSol to complete the application. The county couldn't perform any in-kind before the application's submission and approval. Mr. Jaques suggested that the county fund the engineering design for the Ewing Bridge over Hell Creek and ask Arriba Wind to fund the design for the Arickaree Bridge on County Highway 63.

The commissioners called Travis Miller with RockSol to ask if he would have time to complete a design for the two bridges; Mr. Miller said he would check with his design crew about their availability and cost estimates. He asked for the report regarding the Arickaree Bridge replacement and said he'd sent the Ewing Bridge estimates to Ken Stroud and Mr. Piper. It was around \$213,000 and included the hydraulic analysis, historical clearances, and survey.

Mr. Jaques felt the Arickaree Bridge might get some attention as a central corridor; Mr. Miller said they'd have a better chance if they had already designed it. However, he didn't think it would happen in time because they would need a survey before they could start the application. He wasn't sure, but thought federal funding only occurred annually.

The group discussed culvert purchases, costs, and budgeted amounts; Mr. Piper said the line item had a total of \$28,000, and he didn't know of other line items they could pull money from to cover them.

Ty Stogsdill returned at 1:15 p.m. to say he'd received a phone call from someone requesting a driveway permit for the NextEra Limon I retooling project. Mr. Stogsdill said they hadn't obtained a permit, nor had they signed a road use agreement, but they wanted to bring equipment in, and it sounded like they had already started. They hadn't paid the two percent use tax required before beginning a project, and they weren't allowed on the roads without the RUA. He notified Kelly Lowery via email and voice mail. The commissioners didn't recall NextEra inquiring about the Limon I wind project; they remembered discussing the Limon II and Limon III projects.

DHS Director Andrew Lorensen returned at 1:25 p.m., so Mr. Stogsdill said he'd keep the Board apprised and left.

Mr. Lorensen wanted to clarify information from the CSNAP presentation and give his staff proper credit. While the presentation made it appear that his staff members were only eighty percent accurate, the truth was that they had achieved eighty percent of their nineteen goals ninety to ninety-five percent of the time. The Board thanked Mr. Lorensen for the clarification.

After he left, Mr. Safranek noted that the commissioners should obtain more quotes for culverts.

The Board approved the August payroll, and then, with no further business to discuss, Mr. Ewing adjourned the meeting at 1:30 p.m. The next meeting will be at 9:00 a.m. on September 8, 2025.

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Corinne M. Lengel, Clerk of the Board

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Wayne E. Ewing, Chairman