

Board of County Commissioners of Lincoln County  
Agenda for October 15, 2021

9:00 Call to order and Pledge of Allegiance

10:30 Kevin Stansbury, Lincoln Community Hospital CEO, to present the county with a check to pay off the loan made by the county in January of 2019

1. Approve the minutes from the October 7, 2021, meeting
2. Review the September 2021 Statement of Revenues and Expenditures for County General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, Human Services, Road & Bridge and Individual Road Districts
3. Review the September 2021 reports from the County Assessor, County Clerk & Recorder, County Sheriff and County Treasurer
4. Review the September 2021 reports from the Colorado Counties Casualty and Property Pool and the County Workers' Compensation Pool
5. Discuss Landfill operating hours
6. County Commissioner reports
7. County Attorney's report
8. County Administrator's report
9. Old Business
10. New Business

The Board of Lincoln County Commissioners met at 9:00 a.m. on October 15, 2021. Chairman Steve Burgess, Commissioners Doug Stone and Ed E. Schifferns, County Administrator Jacob Piper, County Attorney Stan Kimble, and Clerk to the Board Corinne M. Lengel attended.

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

Mr. Burgess had asked the sheriff to come and discuss the contract between the Limon Area Fire Protection District and Lincoln County for taking over the firehouse in Limon. When Sheriff Nestor, Undersheriff Nall, Captain Yowell, and Emergency Manager Ken Stroud arrived, Mr. Burgess felt the county should write a check for \$99 rather than \$1 per year, binding the agreement for ninety-nine years as discussed at the last meeting. Mr. Kimble had been unclear about the \$30,000 up-front payment to Limon AFPD, but after receiving an explanation that the money would go to remodel the new firehouse understood it was basically a gift. Mr. Piper's concern with the contract was for the county's liability if the fire department chose to take their building back. Undersheriff Nall said the only way the property would divert back would be if the fire district disbanded, which no one felt would happen. According to the lease agreement, either party could terminate the lease without cause by giving 365 days' notice. Mr. Kimble was uncomfortable with that because board members changed. He felt changing the contract to read "for cause" rather than "without cause" would help the situation and offered to contact the fire department's attorney. The Colorado Constitution also doesn't allow the county to pay attorney fees for other organizations, which was Captain Yowell's concern. Mr. Kimble said he would inform the department's attorney of that as well.

Sheriff Nestor informed the Board that all fire chiefs except for Karval had asked for full burn restrictions. Ken Stroud had taken over distributing that information and asked who he needed to contact. Mr. Burgess asked him to let Mr. Piper and all three commissioners know when the restrictions were in place or lifted.

The sheriff discussed the unfunded mandate that requires bodycams for all law enforcement officers by 2023. They plan to wait for at least a year because they'd like to get the bodycam/dashcam combos, and with the problems they've had with getting new vehicles, it didn't seem cost-effective to do it now. Sheriff Nestor said they'd do some research in 2022 and possibly add it to their 2023 budget request. The undersheriff added they were expensive but might go down by the time they needed to get them.

Mr. Schifferns moved to approve the minutes from the October 7, 2021, meeting, as submitted. Mr. Stone seconded the motion, which carried unanimously.

The Board reviewed the September 2021 Statements of Revenues and Expenditures for the General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, Human Services, and Road & Bridge funds, as well as the individual road districts. The commissioners also reviewed the September 2021 reports from the Assessor, Clerk & Recorder, Sheriff, Treasurer, and the Colorado Counties Casualty and Property and County Workers' Compensation Pools.

Regarding the landfill hours of operation, Mr. Burgess said he'd had a request to close the landfill at noon on Saturdays since those days weren't typically very busy. The other commissioners agreed to decrease the hours after the time changes on November 7 and try it throughout the winter.

Mr. Burgess provided an email from Brenda Howe that included the engine and transmission reports on the landfill CAT 816F compactor. They noted that copper, sodium, and potassium were high in the engine oil, and there was a positive result for glycol on the chemical test. The high glycol was indicative of a coolant leak that could be coming from a leaking head gasket, liner seal, cooler core, or water pump. Mr. Burgess felt they might have to begin looking for another compactor to replace it and offered to do some research.

Mr. Stone reported checking roads west of Highway 71 on October 9. He participated in the Public Health Zoom call on the Twelfth and then went by the county shop and talked to Rick Ashcraft. They discussed getting another mower and a flatbed. They also decided to have the road crew start hauling chips on the cooler days. Mr. Stone checked roads south of Karval on the Fourteenth.

Mr. Schifferns reported checking roads south of Arriba on October 8. He had a call from a resident voicing their concerns about COVID-19, and Mr. Schifferns told them the commissioners decided that everyone had a right to choose whether or not to take the vaccine. Mr. Schifferns called Chris Monks on October 12, and they talked about winter projects. He also spoke with Ken Stroud about the fire ban. The high winds created a lot of blowing dirt on the Thirteenth, and on the Fifteenth, Mr. Schifferns learned the Arriba Fire Department would offer COVID-19 vaccines to fire and EMS personnel.

Mr. Burgess attended the hospital board meeting on October 7 and the CCI Zoom meeting on the Eighth. He spoke with Bruce Walters on October 12; they still have one employee off work due to illness, and the rest of the road crew was working on equipment and grading roads. Mr. Burgess went to Genoa on October 13, and he and Mr. Walters went over the previous months' expenses. He also talked to Tim Patton about putting the Genoa water tanker in the old shop. On October 14, Mr. Burgess went to Fort Morgan for the Centennial Mental Health meeting. They were starting the process of hiring a new director since Liz Hickman plans to retire. He talked with Robin Halley about CSU Extension employees and Bruce Walters about road crew duties.

Lincoln Health CEO Kevin Stansbury, Megan Mosher, hospital board members Linda Orrell and Josie Jones, Troy McCue, and hospital staff members arrived at approximately 10:10 a.m.

Mr. Kimble reported on a packet from the Colorado Attorney General's office regarding the opioid epidemic. He reminded the Board that the county had the option to get involved in a class-action lawsuit against manufacturers and distributors of opioids several years ago. At the time, the commissioners opted out, feeling it wouldn't be cost-effective. They've now agreed on a \$300 to \$400 million settlement over eighteen years, as long as enough jurisdictions agree

to join; roughly 95% agreement from counties and municipalities. CML and CCI participated in the agreements with the AG's office and are actively encouraging entities to join the lawsuit. Although legal fees aren't included in the amount, Mr. Kimble said ten percent goes to the state, twenty percent to participating local governments, and ten percent to specific abatement infrastructure projects. The remaining sixty percent will go to established regions. There will be spending requirements tied to the funds, similar to the COVID allocations, which could be used for treatment, treatment facilities, education, and training. Lincoln County and several of the other eastern region counties would be in Region IV, which covers a large area but isn't largely populated. They would have to form a regional board. Mr. Kimble said that the Colorado Municipal League was encouraging towns to contribute their funds to the region. He added that Lincoln County would get approximately \$65,000 over eighteen years but couldn't see any drawbacks to signing and returning the paperwork, which they'd have to do by November 5.

Mr. Stansbury commented that while they didn't tend to see much opioid abuse in Lincoln County, the hospital was always willing to work with the commissioners if necessary. He added that setting aside the funds to help people pay for their ongoing treatment would be a possible use for the money. Mr. Stone said they'd discussed it at the summer CCI conference and felt it was a good thing, and Mr. Kimble agreed that it was a pleasant surprise.

Mr. Piper reported that the new phones were in, and employees were acclimating to the system. He'd asked everyone to keep the old phones for a while, and then he would contact Frontier Telephone about removing the old system. If they preferred, ES Tech could take it out for \$75 an hour.

Mr. Burgess said that John Mohan had found a 2009 Snorkel forklift with 1,400 hours for \$34,500. They agreed to have him stop by the meeting to discuss it after the 10:30 presentation.

County Treasurer Jim Covington arrived at 10:25 a.m. at Mr. Burgess's request. At 10:30, Mr. Stansbury, Mrs. Mosher, Mrs. Orrell and Mrs. Jones presented the commissioners with a check for \$827,408.94 to finish paying off the million-dollar loan the hospital received from the county in 2018. Mr. Stansbury thanked the commissioners trusting the hospital, its staff, and board members and said the facility is now doing very well financially.

Economic Development Director Troy McCue visited with the Board for a few minutes after the hospital group left, and then left as well.

Mr. Burgess said he'd received an email about the Dominion Voting System, as had Mr. Stone, and asked Mrs. Lengel about it. She explained that several groups had spread misinformation since the 2020 elections and the recent Mesa County problems, claiming the election results were incorrect because the voting equipment wasn't certified and could be connected to the internet. Mrs. Lengel said the equipment was indeed certified and that there was a procedure to verify wireless hardware was disabled on each piece of equipment prior to ballot scanning

and vote counting. She and her staff demonstrated the process to the testing board last week during the public Logic and Accuracy Testing and would continue to have election judges confirm it throughout the remainder of the election. Counties also conduct Risk-Limiting Audits after each election, which is another technical process involving algorithms that again proves the voting equipment counts ballots accurately.

Before Mr. Covington left, he offered space in his office for James Martin if he took the full-time IT position offered to him.

CSU Extension Agent Robin Halley stopped in at 11:25 a.m. at Mr. Burgess's request. Mr. Halley said he'd bring a Needs Assessment Plan for the commissioners' review soon and also told them the MOU is past its renewal date. However, CSU is struggling with several different issues, so it's difficult to get answers.

John Mohan arrived at 11:30 a.m. to discuss the forklift. The commissioners asked him to do further research to see if he could find any others and compare prices.

Before leaving, Mr. Mohan brought up a housekeeping issue. The Board agreed to check into it.

With no further business to come before the Board, Mr. Burgess adjourned the meeting at 11:50 a.m. The next meeting will be at 9:00 a.m. on October 28, 2021.

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Corinne M. Lengel, Clerk to the Board

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Steve Burgess, Chairman