

Board of County Commissioners of Lincoln County
Agenda for January 17, 2024

9:00 Call to order and Pledge of Allegiance

-To be completed as time permits-

1. Approve the minutes from the January 9, 2024, meeting
2. Review December 2023 reports from the County Assessor, County Clerk & Recorder, County Sheriff, and County Treasurer
3. County Commissioner reports
4. County Attorney's report
5. County Administrator's report
6. Old Business
7. New Business

The Board of Lincoln County Commissioners met at 9:00 AM on January 17, 2024. Chairman Steve Burgess, Vice Chairman Wayne Ewing, Commissioner Doug Stone, County Attorney Stan Kimble, County Administrator Jacob Piper, Acting Clerk of the Board Ryan Davis, and Limon Leader reporter Stephanie Zwick attended. Clerk of the Board Corinne M. Lengel was absent and excused.

Mr. Burgess called the meeting to order and asked Mr. Davis to lead the Pledge of Allegiance and Mr. Ewing led the group in a prayer.

Mr. Stone moved to approve the minutes from the January 9, 2024, meeting as submitted. Mr. Ewing seconded the motion, which carried unanimously.

The commissioners reviewed the December 2023 reports from the County Assessor, County Clerk & Recorder, County Sheriff, and County Treasurer.

Mr. Ewing gave his County Commissioner Report. He reported talking with Mr. Burgess on the 10th about employee funeral leave. He also spoke with Road Foreman Chris Monks who said that his employees had passed their MSHA training. They also spoke about gathering crush material to spread on roads. On the 15th and 16th, he spoke with Mr. Monks about clearing the courthouse parking lot to spread road salt. Mr. Ewing reported attending the fair board meeting.

Mr. Stone gave his County Commissioner Report. He reported going to a South East & East Central Recycling meeting in Las Animas on the 10th where the organization had sold one of their old trailers and was applying for a grant to buy a new trailer to haul glass products. He reported that the prices for cardboard, glass, and tin had increased while prices for paper had gone down. On the 12th, he reported one of his district's road graders had developed an antifreeze leak. On the night of the 16th, he attended a fair board meeting with Mr. Ewing. He reported that the board had set weights and weigh-in dates and said that as of now, there would be no concert this year. He learned that an intern from Colorado State University will be working for the Extension Office this summer. The office was working on a grant to help buy improvements to the shooting range. He mentioned that shooting sports were now the third-largest program in the county. The fair board had decided on a parade theme. Nikki Lister from the Limon Leader was interested in printing fair books but said that they would like a contract for the services. Mr. Stone said that he would meet with Ms. Lister and Mr. Piper on the 16th of February to discuss it further. The board elected LaRay Patton as chairperson.

Mr. Burgess gave his County Commissioner Report. He spoke with Road Foreman Bruce Walters about their motor grader. He said that after five months they should finally have their machine back after repairs. He spoke to Mr. Ewing and Mr. Stone about organizing a meeting with the Road Foremen and Office Manager Kris Smith concerning Road and Bridge policy. Mr. Piper would set a date in the future. On the 11th, Mr. Burgess reported bitter cold, strong winds and light snow. His district's crew stayed in the shop to work on equipment, and he went to the Assessor's Office to sign paperwork. He spoke with Mr. Monks about road fill and pipes for the

detour.

Mr. Burgess spoke to Mr. Piper who said that the Genoa Tower organization was interested in buying the roundhouse scaffolding and had offered \$6,000.00. He thought they should sell them. Mr. Burgess reported that Landfill Office Manager Brenda Howe had contacted the Kit Carson County Landfill concerning accepting refrigerators. She said they use a company called Refrigerators Inc. who charge \$26.67 per unit. Mr. Burgess thought it might be something to consider because no one currently accepts old refrigerators. He later had a Zoom meeting with Centennial Mental Health. He said that he thought their financials looked good but that they had had a high turnover rate of 42%.

Mr. Burgess, Mr. Ewing, and Mr. Stone decided to delay the courthouse opening by two hours on the 15th due to the extreme cold. On the 16th, Mr. Burgess went with Mr. Walters to check roads to see if they needed snowplowing. On the 17th, before the commissioner meeting, Mr. Burgess received a call from County Judge Truston Fisher informing him of an awful odor coming from the Combined Courts side of the Lincoln County Courthouse. He had accompanied the other commissioners along with John Mohan to find the source. They suspected that the smell was caused by the extreme cold temperatures displacing air in the sewage lines.

Mr. Kimble gave his County Attorney's Report. He said that he had reviewed the proposed resolution to implement a new 21-foot minimum clearance on power lines constructed over public utility rights-of-way. He said that if they were considering adopting a regulation that substantially conflicted with what the power companies were asking for, it would be worth putting the matter before the Land Use Board. Since the 21-foot minimum was exactly what the companies wanted, he said they could just hold a public hearing. Mr. Kimble and Land Use Administrator Ty Stogsdill would inform the utility companies of the hearing and Mr. Piper would put an advertisement in next week's edition of the Limon Leader. The public hearing will be held at 9:30 AM on February 6th, 2024.

Mr. Kimble said that the Lincoln Community Hospital had contacted him concerning putting the real property in the hospital's name. The hospital's attorney had sent him proposed deeds to review. He said that he had looked at the relevant law and that the land for a publicly owned hospital could be in either the name of the county or the hospital, but that the decision was up to the Board of County Commissioners. He argued that having the real property in another name might help shield the county from potential liabilities and obligations if the hospital ever defaulted. He added that it might also make it more difficult for the county to interact with the land in the future if they needed to. Mr. Burgess added that he liked the idea because it protected the county from the liability of the hospital's new facility. Mr. Piper added that the county was already not responsible for the insurance, so it made sense that the ground be in another name. Mr. Kimble mentioned that the deeds made on ground formerly owned by the railroads had reverter clauses which could complicate the transfer. Mr. Kimble said that he would tell the hospital's attorney to proceed and that he would continue researching.

Mr. Piper gave the County Administrator's Report. He said that in the last year, the county's

pension plan had seen annuity payouts totaling \$254,000.00 and lump sum payouts totaling \$583,000.00 for a combined \$837,000.00. By contrast, the fund had contributions totaling just \$500,000.00 resulting in a decrease of \$337,000.00. Mr. Piper explained that the increase in payouts had to do with the way the plan factored years of service and average compensation to create a payout that incentivized early retirement. He said that in the past year, he had issued more lump sum payouts prior to retirement than ever before. Since the plan counts on new employees to fund the benefits received by people in retirement, the early lump sum payment results in more money leaving than coming in. Mr. Piper said that although it seemed like a large amount of money leaving at once, the pension plan was still functioning properly.

Mr. Piper said that Roxie Devers had asked him about hiring a geotechnical engineer to take soil samples at the roundhouse. Mr. Burgess suggested that the work be done by RockSol Consulting Group Inc. and asked Mr. Piper to contact Travis Miller to see if he was interested. Mr. Burgess said he was concerned that the diesel from the site may have polluted the soil and could cause issues with soil compaction.

Mr. Stone made a motion to sell the roundhouse scaffolding to the Genoa Tower group for \$6,000.00. Mr. Ewing seconded the motion which carried unanimously.

The commissioners moved on to old business. Mr. Davis presented an estimate from Pellett Carpentry & Finishing LLC for the renovations to the front counter of the clerk's office for \$24,673.53. The proposal also included an estimate from Dryland Electrical Services for \$1,547.19 to cover the electrical work that would not be done by Pellett Carpentry. Mr. Burgess and Mr. Stone commented that the cost was exceedingly high for the small size of the project. Mr. Burgess said that the design criteria in the proposal would not be sufficient to give to other contractors. He suggested obtaining a more robust design and rebidding it so that other contractors could have an opportunity to participate. Mr. Piper said they could give the same project parameters to other contractors and see what they came up with. Mr. Kimble said that he would check the current regulations for bidding on government projects to see what they had to do. Mr. Davis said that Mrs. Lengel would be back for the January 30 meeting to discuss the matter further.

Mr. Stone asked when they could start working on the renovations to the bathrooms in the jury assembly room. Mr. Piper said that he was still looking into the AmpliFund software used to track the grant.

There was no new business to come before the board.

With no further business to discuss, Mr. Burgess adjourned the meeting at 10:30 AM. The next meeting will be at 9:00 AM on January 30, 2024.

Ryan Davis, Acting Clerk of the Board

Steve Burgess, Chairman