

Board of County Commissioners of Lincoln County
Agenda for May 7, 2019

9:00 Call to order and Pledge of Allegiance

9:30 Robert Breault to discuss a road use matter

10:00 Tom Nestor, Lincoln County Sheriff to discuss matters concerning the Lincoln County Sheriff's Office vehicle fleet

10:30 Jobeth Mills, Public Health Director, to present the April 2019 Public Health Agency's monthly report

1. Approve the minutes from the April 30, 2019 meeting
2. Review the employee time sheets for County Administrator Jacob Piper, Land Use Administrator Fred Lundy, Landfill Manager Mickey Jaques, Office of Emergency Management Director Ken Stroud, and Public Health Director Jobeth Mills
3. County Commissioner reports
4. County Attorney's report
5. County Administrator's report
6. Old Business
7. New Business
8. Approve expense vouchers

The Board of Lincoln County Commissioners met at 9:00 a.m. on May 7, 2019. The following attended: Chairman Ed E. Schifferns, Commissioners Steve Burgess and Doug Stone, County Administrator Jacob Piper, County Attorney Stan Kimble, Acting Clerk to the Board Mindy Dutro until 10:40 a.m., and Clerk to the Board Corinne M. Lengel starting at 10:40 a.m. Juliet Lundy with the Eastern Colorado Plainsman/Limon Leader stayed until 11:30 a.m., and Land Use Administrator Fred Lundy attended the meeting from 9:00 a.m. until 10:10 a.m.

Chairman Schifferns called the meeting to order and asked Mrs. Dutro to lead the Pledge of Allegiance.

Mr. Burgess made a motion to approve the minutes from the meeting held on April 30, 2019, as submitted. Mr. Stone seconded the motion, which carried unanimously.

The Board reviewed employee time sheets for the administrator, land use administrator, landfill manager, emergency management director, and public health director. Mr. Burgess told Mr. Piper that the commissioners would also like to see Weed Coordinator Wayne Shade's time sheets since he is working again.

In preparation for Robert Breault's 9:30 a.m. appointment with the Board, Mr. Lundy provided copies of a section of the official county road map and a page from the plat map book regarding the landowner's property in the Lower L north of Highway 94. Mr. Breault's complaint concerned his neighbors locking the gate that crosses the secondary county road, which isn't allowed.

Mr. Schifferns called for commissioner reports, and Mr. Burgess reported that all three districts provided trucks to haul sand into the new show barn around the wash racks on May 1. District 2 provided a road grader to level the material, and they also shot the grade for the drainage ditch. Mr. Burgess picked up parts in Denver and attended an ECCOG board meeting. On May 2, he took parts to Hugo, participated in the Karval Water Users meeting at the courthouse, talked with Bruce Walters about getting the equipment ready for the upcoming I-70 project, and attended the hospital board meeting. Mr. Burgess met with Steve Hodges who gave him information regarding Tri-State rebates on May 3. Chris Monks met with Castle Rock Construction to finalize the safety meeting for May 6, and Mr. Burgess passed that information on to Mr. Schifferns, Bruce Walters, and Rick Ashcraft. Steve with Daniels Electric sent pictures of the lights on at the show barn, and Mr. Burgess talked with John Palmer about Southland Electric returning the adapters they removed when they took out the electricity in the old barn. On May 4, Mr. Burgess gave the information he received from Steve Hodges regarding rebates to David Churchwell with K.C. Electric and asked him to pass it on to George Ehlers. The rebate total from Tri-State Energy would be over \$11,000. Mr. Burgess reported that they started the I-70 milling project on May 6, and Chris Monks called him on May 7 regarding CDOT reporting overweight trucks from the milling project.

Mr. Stone reported missing the May 2 Karval Water Users meeting due to a mix-up in times, but he checked the fairgrounds and several roads on his way home. He went by the fairgrounds on May 6.

Mr. Schiffers reported checking roads on May 3. On May 6, they had a meeting with the road crew to make plans for the I-70 project. On May 7, Chris Monks called him with the same information from CDOT that Mr. Burgess reported.

Mr. Piper reported that the department heads agreed to look into magnetic door locks for several of the offices in the courthouse for safety purposes, which Mrs. Lengel mentioned at the last meeting. If they buy several of the door locks at one time, which cost around \$250 each, the company will offer a discount. The most significant expense would be the electrical and installation work, so Mr. Piper will contact a few electric companies and ask them to provide quotes. Mr. Burgess wondered if an alarm could sound if the front doors were suddenly locked, alerting other departments to lock their doors as well. Mr. Piper said one commissioner would need to attend the Economic Development Corporation event on May 29 at 7:00 p.m. After further research with SIPA, Mrs. Lengel informed Mr. Piper that it would be cheaper to continue using Eastern Slope as the county's email provider.

At 9:30 a.m., Robert Breault met with the Board to discuss a road use matter. Sheriff Tom Nestor, Undersheriff Gordon Nall, Emergency Manager Ken Stroud, Land Use Administrator Fred Lundy, and John Mohan attended the discussion as well as Eric Bentley and Jim Chapman with the Hanover Fire Department. Mr. Breault began by explaining that a survey plat in his possession doesn't show a road on his property but that it does appear on the county road map. Neighbors on both sides of him placed a locked gate across the road to keep their cattle from getting out.

Sheriff Nestor said he spoke with Kent Dyer who has one of the gates at County Road 2A near Highway 94 and confirmed that it is an unmaintained county road. A cattle guard would be another option to the gate, and Mr. Burgess said they are the only way to replace gates. The sheriff added that they need to get the facts from all of the landowners, but the road needs to stay open.

Mr. Breault commented that the county has a three-step process for complaint procedures, which includes sending letters to property owners. Mr. Kimble suggested sending those letters and said he would be willing to help Mr. Lundy with them. The commissioners agreed that paying for cattle guards would be the landowners' responsibility.

Mr. Burgess asked Mr. Breault which would be the easiest way for him to access his land, and Mr. Breault responded that he and his neighbors don't like County Road 2A. The commissioners explained that the county could vacate a road, but then they would have no authority over obstructions. Mr. Breault felt that he should have his neighbors come in and discuss the issue, and Mr. Lundy said they should go ahead with the cease and desist letters to clarify that the landowners didn't have to remove the gates at this time as long as they were

unlocked. Mr. Schifferns explained that the process would take time to send out the letters and get responses, but if the matter didn't improve after that, they could address it again. Mr. Breault complained that the cattle were always trying to get out, and he had to fight with them every time he wanted to get to his place. Mr. Kimble asked the sheriff if gates were allowed on unmaintained county roads, to which Sheriff Nestor responded that historically they were as long as they weren't locked. Mr. Schifferns told Mr. Breault the county would send the letters and thanked him for coming in. Mr. Breault and Mr. Lundy both left at 10:10 a.m.

Sheriff Nestor said he'd finally gotten LAWS to return their vehicles, and the undersheriff's pickup was getting commissioned. The Hanover Fire Department expressed interest in their transport vehicle as well as in the emergency manager's 2011 Ford Expedition, which would need decommissioning.

Mr. Burgess made a motion to offer the sheriff's transport vehicle, a 2009 Ford Expedition, and the emergency manager's 2011 Ford Expedition to Hanover Fire for \$2,000 as is with no decommission. Mr. Stone seconded the motion, which carried unanimously. The gentlemen with the fire department said they would either accept or decline the offer by the following day.

Sheriff Nestor said that they got the new transport van and will take it to Watt's Upfitting soon. The command vehicle experienced some electrical issues, so was in a shop in Fort Collins, and the undersheriff's old vehicle can be passed on to the emergency manager as soon as the other patrol cars are up and running. The sheriff added that they ordered a storage shed for seized marijuana through the marijuana grant and would need to run electricity to it.

Mr. Stone made a motion to approve the purchase of the building and electricity for marijuana storage through the grant. Mr. Burgess seconded the motion, which carried unanimously.

At 10:30 a.m., Public Health Director Jobeth Mills met with the Board to give her monthly report. She would like to bring back the tobacco grant program, starting in August or September, which would be around \$38,000. She and Kelly Linnebur will try and handle the workload rather than hiring someone at this time, but Mrs. Mills said if they can't, she would have to hire someone part-time, which was 100% reimbursable through the grant. They've been very busy with immunizations, she'll help the jail nurse with a HEP-A vaccination clinic this week, and they're looking at starting up a Healthy Lifestyle program to help with diabetes education. The state plans to restructure the funding for Public Health statewide and highly suggests collaboration with other counties. Mrs. Mills said they would have to complete a needs assessment to determine how the money gets distributed.

Mrs. Mills presented the Contract Amendment #3 to the Immunization Contract for the Board's approval. Mrs. Mills said the 2020 amount was \$14,300; a \$500 decrease due to the new funding formula. Mr. Burgess made a motion to sign the contract, Mr. Stone seconded the motion, and it carried.

At 11:10 a.m., the Board met with Chris Fox, Vice-President of Roundhouse Preservation, Inc. Mr. Fox submitted drawings of the roundhouse interior and stated that they should finish Phase I, or the exterior, later this year. After looking over the proposed plans, Mr. Burgess asked how they intended to get electricity to the dining hall and exhibit areas, if there were plans on how to handle the sewer system, and if there were enough fire exits. Mr. Fox answered those questions and then asked if it would be possible to obtain a construction loan to have money so they could get started. If they could, then they would be able to pay the loan off as they received grant funding. Mr. Piper said they wouldn't be able to do that through the county, and Mr. Kimble agreed, adding that the county couldn't commit multi-year funds. Mr. Fox felt that the cost of the interior would be about \$1.6 million, but if they created more meeting rooms, it would generate more consistent revenue.

After Mr. Fox left, Mr. Burgess asked Mr. Piper to place a call to Gini Pingenot with CTSI so they could see if she wanted to add the recent landfill issue to the agenda for the summer conference. Ms. Pingenot said it was an excellent idea and she would add it to the Eastern Region agenda.

Mr. Kimble reported adding a sentence to the Master Road Agreement after the Board approved it, so they would need to approve the amendment. It addressed the same haul route being used by multiple companies or projects at the same time. The commissioners approved the amended version. Mr. Kimble reminded the Board he needed a check to attend the mediation conference regarding the Bode/Brent land dispute, and Mr. Schifferns signed the mediation participation agreement.

The discussion turned to the Karval Water Users meeting the previous week, and Mr. Kimble said he anticipated handling it like a flow-through grant, but it appeared that wasn't how the other organization involved in the meeting saw it. Mr. Piper put in that he thought it sounded like DOLA would be amenable to that practice, but not the Colorado Water Resources and Power Development Authority. Mr. Kimble said he would check to see if KWU could be an enterprise of the county and still maintain their non-profit status. Mr. Piper said he didn't think the county wanted the liability or responsibility of paying their bills, reading their water meters, or raising their rates, but that was how they had made it sound. He felt it would be easiest to set up a pass-through fund like the Transportation Enhancement grant fund. Mr. Kimble said he would find out what he could.

Mr. Stone didn't think a new well should cost so much, so Mr. Piper called Patrick Leonard to discuss what all the \$423,000 would cover. Mr. Leonard said it was for the new well, which would be a backup to their current system, new pipeline, valves, a hydrant, ditches, and possibly paving, which he didn't believe they would need. When asked if the project were a state mandate, Mr. Leonard said it wasn't, but it was necessary based on the sanitary survey results. Mr. Piper told him the commissioners would do further research.

Mr. Schifferns called for old business, and Mr. Burgess said the cost of the landfill signs should be a little over \$300. He also asked how to pay for the gravel used at the fairgrounds. Mr.

Piper said he should take it out of the fairground improvement line item in the Capital Projects budget.

Mrs. Lengel asked the Board to approve an Application for a Special Events Permit for the Colorado Prairie Arts and Music Council for the Ranch Rodeo. She commented that the commissioners waived the \$100 application fee in the past and asked if they wanted to do so again. Mr. Stone made a motion to approve the Application for a Special Events Permit for the Colorado Prairie Arts and Music Council for the Ranch Rodeo and to waive the \$100 fee. Mr. Burgess seconded the motion, which carried unanimously.

Mrs. Lengel also asked Mr. Kimble what her recording department should do with survey plat maps if the surveyor did not come and approve them prior to her office recording them since 30-10-409 C.R.S. establishes the time frame in which the Clerk and Recorder shall record documents. Mr. Kimble told her to go ahead and file the maps without his approval if Mr. Westfall did not come in within the designed time.

There was no new business to discuss, so the Board approved the remaining expense vouchers for April.

COUNTY GENERAL FUND

Wade Adams, Road Deputy Salary \$3,400.00
Justin Allen, Correctional Officer III Salary \$3,393.12
Nathaniel Allen, Correctional Officer I Salary \$3,106.56
Marlin Baranyk, Correctional Officer III Salary \$3,393.12
LaRay Becker-Patton, Chief Deputy Salary \$3,958.00
William Breneman, Metal Detector Salary \$680.00
Coley Britton, Corporal Salary \$3,555.00
Steve Burgess, Commissioner Salary \$4,745.00
Jason Case, Road Sergeant Salary \$3,538.00
Joseph Colpitts, Road Deputy Salary \$3,520.00
James Covington, Treasurer Salary \$5,037.42
Marshall Cox, Correctional Officer I Salary \$3,257.65
Dustin Cunningham, Road Deputy Salary, \$3,460.00
James Day, Metal Detector Salary \$697.00
Mindy Dutral, Chief Deputy Salary \$3,598.00
Ashley Erwin, Clerk I Salary \$3,008.00
Ryan Erwin, Road Deputy Salary \$3,460.00
William Garlow, Clerk I Salary \$3,183.00
Andrea Hendricks, Deputy I Salary \$3,340.00
Jeremiah Higgins, Assessor Salary \$5,037.42
Timothy Hilferty, Driver Examiner Salary \$3,255.00
Christine Hollenbaugh, Deputy I Salary \$3,108.00
Michael Hutton, Correctional Officer III Salary \$3,634.48

Stan Kimble, Attorney Salary \$2,370.00
Corinne Lengel, Clerk Salary \$5,037.42
Carlos Leonard, Part-Time Fairgrounds Salary \$217.50
Andrew Lorensen, Coroner Salary \$1,138.58
Casey Love, Clerk I Salary \$2,616.00
Fred Lundy, Land Use Administrator Salary \$3,478.00
Crystal Mariano, Correctional Officer I Salary \$3,271.12
Derik Mattson, Correctional Officer I Salary \$3,457.40
Jodi Mohan, Janitor Salary \$3,063.00
John Mohan, Maintenance Salary \$3,303.00
Gordon Nall, Undersheriff Salary \$4,078.00
Carmel Nestor, Correctional Officer I Salary \$3,419.23
Tom Nestor, Sheriff Salary \$5,647.00
Parker Newbanks Jr, VA Service Officer Salary \$525.00
Jesus Ortiz-Marrufo, Corporal Salary \$3,505.95
John Palmer, Fairgrounds Manager Salary \$2,000.00
Jacob Piper, Administrator Salary \$4,530.00
Wendy Pottorff, Clerk I Salary \$3,183.00
Dale Rostron, Corporal Salary \$3,495.00
Kaylee Rostron, Janitor Salary \$515.06
Ed Schifferns, Commissioner Salary \$5,037.42
Christine Schinzel, 4-H Program Assistant Salary \$3,597.00
Amy Seymour, Part Time Victim Assistant Salary \$277.78
Wayne Shade, Weed Coordinator Salary \$3,752.00
Amy Solomon, Office Manager II Salary \$3,426.00
Doug Stone, Commissioner Salary \$4,745.00
Ken Stroud, OEM Salary \$1,739.00
Ken Stroud Jr., Correctional Officer I Salary \$3,580.81
Matthew Thelen, Correctional Officer I Salary \$3,080.67
Renita Thelen, Chief Deputy Salary \$3,326.00
Amy Vice, Appraisal Clerk Salary \$2,981.00
Amy Vice, Part Time Victim Assistant Salary \$277.78
Jessica Wargo, Victim Assistant Salary \$3,423.00
Keith Westfall, Surveyor Salary \$126.50
Bryson Winterberg, Correctional Officer I Salary \$3,274.20
Cynthia Yowell, Admin Assist Salary \$3,940.00
LeRoy Yowell, Metal Detector Salary \$1,785.00
Michael Yowell, Captain Salary \$3,838.00
Tyler Yowell, Road Deputy Salary \$3,694.51

39079 AFLAC, Premiums \$2,962.11
39080 Justin Allen, Reimbursement \$24.23
39081 Auto Chlor, Supplies \$102.20
39082 Blue Tarp, Supplies \$233.01

39083 Bob Barker, Supplies \$525.56
39084 BrainSell, IT Service \$97.50
39085 Steve Burgess, Travel \$1,382.02
39086 Lorilei Case, Stipend \$277.78
39087 CHP, Insurance \$88,149.49
39088 CDOR, Garnishment \$653.21
39089 CCFS, Contract \$7,922.00
39090 Cornerstone Carpet Cleaning, Services \$229.00
39091 Express Toll, Travel \$33.35
39092 ECCOG, 2nd Qtr Dues \$3,000.00
39093 Evergreen Systems, IT Service \$93.50
39094 FNBH, Fee \$59.60
39095 FNB Omaha, Charges \$211.30
39096 FNB Omaha, Charges \$578.91
39097 FNB Omaha, Charges \$1,586.74
39098 FNB Omaha, Charges \$203.29
39099 FNB Omaha, Charges \$1,609.62
39100 FNB Omaha, Charges \$130.26
39101 FNB Omaha, Charges \$396.16
39102 FNB Omaha, Charges \$100.00
39103 FNB Omaha, Charges \$914.27
39104 FNB Omaha, Charges \$38.24
39105 FNB Omaha, Charges \$96.55
39106 FNB Omaha, Charges \$166.03
39107 FNB Omaha, Charges \$220.84
39108 Galls, Supplies \$2,098.83
39109 Genoa-Hugo School, Fee \$60.00
39110 Great West Life & Annuity, Deferred Comp \$3,600.00
39111 GTS, IT Service \$200.00
39112 HVFD, Transport \$970.00
39113 Michael Hutton, Reimbursement \$26.12
39114 Interstate Batteries, Battery \$148.68
39115 Jefferson County, Testing \$153.72
39116 Krav Maga Worldwide, Training \$1,162.77
39117 LC Road & Bridge, Fuel \$999.49
39118 LC Extension Fund, Registration \$209.00
39119 Mark's, Supplies \$113.16
39120 Adrian McDaugale, Fairgrounds Help \$400.00
39121 Patricia McHone, Cleaning \$100.50
39122 Carmel Nestor, Coroner Assist \$10.00
39123 Sean Nielson, Coroner Assist \$205.00
39124 Norstar Industries, Parts \$66.31
39125 PayFlex, Cafeteria Plan \$1,435.00
39126 PayFlex, Fee \$200.00

39127 Progressive 15, Membership \$660.00
39128 Quill, Supplies \$1,194.64
39129 Reserve Account, Postage \$1,000.00
39130 Ed Schiffers, Mileage \$109.80
39131 SEI Private Trust, Retirement \$12,489.81
39132 Amy Solomon, Mileage \$90.00
39133 Southern Health Partners, Contract \$16,677.63
39134 State of Colorado, MV Mailer \$260.61
39135 Stone Communications, Cell Booster \$542.50
39136 Doug Stone, Mileage \$125.55
39137 Sunny Communications, Parts \$143.00
39138 Town of Hugo, Water \$1,995.31
39139 Treasurer of Lincoln County, State Withholding \$5,930.26
39140 Treasurer of Lincoln County, Federal Withholding \$15,518.08
39141 Treasurer of Lincoln County, FICA Withholding \$28,733.74
39142 Tyler Technologies, Contracts \$59,505.37
39143 US Corrections, Transport \$1,275.00
39144 Verizon Wireless, Phone \$102.65
39145 Vern's TV, Supplies \$39.99
39146 Watts Up-Fitting, Graphics \$126.00
39147 Waxie, Supplies \$164.26
39148 Xerox, Lease \$237.15
39149 Xerox, Lease \$170.53
39150 XESI, Lease \$273.94
39151 Cynthia Yowell, Postage \$4.39

39224 Black Hills Energy, Utilities \$1,410.05
39225 Boulder Community Health, Testing \$23.00
39226 Burlington Ford, Parts \$146.56
39227 CCI Foundation, Conference \$1,080.00
39228 CDOA, Supplies \$60.00
39229 Darling Portable Sheds, Storage Shed \$5,645.00
39230 DirecTV, TV \$203.98
39231 DJ Petroleum, Fuel \$27.89
39232 Express Toll, Travel \$6.70
39233 ESRTA, Phone \$2,438.92
39234-39257 Voided
39258 Fix Auto Glass, Repairs \$786.08
39259 Government Law Enforcement, Equipment \$2,087.54
39260 Hoffman Drug, Supplies \$15.99
39261 Hugo Lumber, Supplies \$33.60
39262 KC Electric, Utilities \$4,543.16
39263 Limon Leader, Ads \$456.45
39264 LC Road & Bridge, Fuel \$2,967.11

39265 Osborne's, Supplies \$48.28
39266 J Curt Penny PC, Mediation \$625.00
39267 Pro-Ag Solutions, Chemical \$3,403.00
39268 Quill, Supplies \$460.94
39269 Radiology Imaging, Medical \$42.00
39270 S&S Fumigation, Services \$75.00
39271 Christine Schinzel, Mileage \$108.45
39272 Southern Health Partners, Contract \$13,190.00
39273 Renita Thelen, Reimbursement \$10.00
39274 Tyler Technologies, Contract \$5,379.39
39275 USPS, Box Rent \$94.00
39276 Viaero Wireless, Phone \$403.68
39277 Witt Boys, Parts \$715.71
39278 Witt Boys, Parts \$25.98
39279 Witt Boys, Parts \$163.90
39280 Witt Boys, Parts \$44.18
39281 Xerox, Lease \$68.33

ROAD AND BRIDGE

Carey Ashcraft, Road Crew Salary \$3,303.00
Rick Ashcraft, Road Foreman Salary \$3,958.00
Theron Brent, Road Crew Salary \$3,303.00
Ryan Bush, Mechanic Salary \$3,752.00
Dennis Cunningham, Road Crew Salary \$3,123.00
Duane Daniel, Road Crew Salary \$3,483.00
Jason Eager, Road Crew Salary \$3,483.00
Kevin Harris, Road Crew Salary \$3,243.00
Brennen Hekkers, Road Crew Salary \$3,693.40
Jerrid Hielscher, Road Crew Salary \$3,003.00
Casey Huelskamp, Road Crew Salary \$3,183.00
Jeffrey Huntoon, Road Crew Salary \$3,483.00
Judd Kravig, Road Crew Salary \$3,303.00
Joshua Leithead, Road Crew Salary \$3,063.00
Zane Leonard, Road Crew Salary \$3,303.00
Darlan Linn, Road Crew Salary \$1,056.00
Monty Mattson, Part Time Road Crew Salary \$1,376.20
Adrian McDaugale, Road Crew Salary \$3,123.00
Ord Miller, Road Crew Salary \$3,183.00
Clay Monks, Road Foreman Salary \$4,418.00
David Orcutt, Road Crew Salary \$3,303.00
Rick Porter, Road Crew Salary \$3,363.00
Wayne Price, Road Crew Salary \$2,792.65
James Rigsby, Road Crew Salary \$3,063.00
David Schaeffer, Road Crew Salary \$3,003.00

David Seymour, Road Crew Salary \$3,603.00
Kirsten Smith, Shop Secretary Salary \$3,543.00
Ty Stogsdill, Road Crew Salary \$3,123.00
Bruce Walters, Road Foreman Salary \$3,838.00
Hunter Wells, Road Crew Salary \$3,063.00
Wayne Wolf, Road Crew Salary \$3,063.00

39170 21 Century, Parts \$1,103.93
39171 Ace Irrigation, Parts \$6,283.08
39172 A&E Tire, Tires \$2,022.00
39173 AFLAC, Premiums \$1,280.90
39174 Town of Arriba, Contribution \$2,600.00
39175 Black Hills Energy, Utilities \$478.59
39176 Blue Tarp, Supplies \$45.35

39177 CHP, Insurance \$49,116.94
39178 Clinton Clark, Gravel \$180.00
39179 CNH Productivity Plus, Parts \$640.70
39180 Collie Land LP, Gravel \$1,080.00
39181 Corporate Billing, Parts \$2,512.04
39182 DISA, Testing \$69.50
39183 Eaton Sales, Parts \$131.91
39184 Harold Eichman, Gravel \$747.00
39185 FNB Omaha, Charges \$45.00
39186 FNB Omaha, Charges \$993.09
39187 Flagler Coop, Fuel \$14,836.45
39188 GCR Tires, Tires \$2,678.00
39189 Town of Genoa, Contribution \$1,700.00
39190 Great West Life & Annuity, Deferred Comp \$2,350.00
39191 Halde Redi-Mix, Cement \$632.00
39192 Honnen Equipment, Parts \$964.70
39193 Town of Hugo, Water \$81.00
39194 Town of Hugo, Contribution \$11,700.00
39195 Judd Kravig, Gravel \$1,863.00
39196 Lawson Products, Parts \$368.62
39197 Town of Limon, Contribution \$70,500.00
39198 LCH, Testing \$24.00
39199 Martin Marietta, Road Oil \$33,090.31
39200 McCormick Excavation, Equipment Rental \$14,152.50
39201 Merritt Trailers, Parts \$861.34
39202 MHC Kenworth, Parts \$148.73
39203 MVEA, Utilities \$601.79
39204 Newman Signs, Signs \$2,050.03
39205 Office Works, Supplies \$32.11

39206 Osborne's, Supplies \$5.99
39207 PayFlex, Cafeteria Plan \$20.00
39208 Power Motive, Repairs \$1,450.80
39209 Quill, Supplies \$132.95
39210 Rocky Mtn Air Solutions, Equipment Rental \$160.50
39211 Safety Kleen, Equipment Rental \$288.98
39212 Robert Safranek, Gravel \$2,138.50
39213 Roseann Safranek, Gravel \$2,138.50
39214 SEI Private Trust, Retirement \$5,936.51
39215 Stone Communications, Repairs \$85.00
39216 Doug Stone, Gravel \$150.00
39217 Titan LED, Maintenance \$1,545.07
39218 Treasurer of Lincoln County, State Withholding \$2,640.72
39219 Treasurer of Lincoln County, Federal Withholding \$6,171.69
39220 Treasurer of Lincoln County, FICA Withholding \$15,038.70
39221 Vance Brothers, Road Oil \$9,516.00
39222 Wagner, Parts & Repairs \$4,844.36
39223 Wear Parts & Equipment, Parts \$857.88

39286 Black Hills Energy, Utilities \$237.50
39287 Corporate Billing, Parts \$141.12
39288 DJ Petroleum, Fuel \$2,302.05
39289 Ethan Durham, Repairs \$120.00
39290 ESRTA, Phone \$375.80
39291 Equalizer, Parts \$75.83
39292 Flagler Coop, Fuel \$14,374.42
39293 Halde Redi-Mix, Concrete \$689.50
39294 Honnen Equipment, Supplies \$751.67
39295 Hugo Lumber, Supplies \$605.90
39296 Karval Water Users, Water \$70.00
39297 KC Electric, Utilities \$154.85
39298 LC Clerk, Registration \$9.09
39299 Martin Marietta, Road Oil \$5,076.50
39300 MHC Kenworth, Parts \$751.10
39301 Power Motive, Parts \$656.28
39302 Stone Oil, Fuel \$1,152.50
39303 Vern's TV, Supplies \$735.86
39304 Vince's GM Center, Repairs \$1,064.37
39305 Witt Boys, Parts \$2,550.46

CAPITAL PROJECTS

39311 LAWS, Vehicle Commission \$8,937.90
39312 Structures Unlimited, Storm Drains \$25,110.00

E911

39152 Orolia USA, Equipment \$8,468.00

39313 CenturyLink, Phone \$245.84

LANDFILL

Allen Chubbuck, Operator Salary \$3,363.00

Brenda Howe, Part Time Clerk Salary \$1,312.50

Mickey Jaques, Manager Salary \$3,958.00

39054 CHP, Insurance \$3,005.22

39055 CDPHE, 1st Qtr Fees \$850.86

39056 Eastwood Drilling, Repairs \$292.65

39057 Evergreen Systems, IT Service \$20.00

39058 LC Road & Bridge, Fuel \$66.25

39059 MVEA, Utilities \$62.77

39060 Osborne's, Supplies \$74.55

39061 SEI Private Trust, Retirement \$603.99

39062 Treasurer of Lincoln County, State Withholding \$307.13

39063 Treasurer of Lincoln County, Federal Withholding \$792.94

39064 Treasurer of Lincoln County, FICA Withholding \$1,320.94

39306 American Environmental Consulting, Services \$4,218.82

39307 ESRTA, Phone \$127.59

39308 Hugo Lumber, Supplies \$9.29

39309 LC Road & Bridge, Fuel \$24.60

39310 Witt Boys, Parts \$17.49

LIBRARY

Kevin Pickerill, Bookmobile Salary \$573.33

Katie Zipperer, Bookmobile Salary \$1,071.33

39065 Best Books, Books \$740.41

39066 Colorado Library Consortium, Fee \$100.00

39067 FNB Omaha, Charges \$410.35

39068 Know Buddy Resources, Books \$335.28

39069 Scholastic Books Fair, Books \$586.19

39070 Treasurer of Lincoln County, FICA \$251.62

39071 Viaero Wireless, Phone \$42.51

39072 Katie Zipperer, Mileage \$85.32

39315 DJ Petroleum, Fuel \$77.56
39316 Witt Boys, Parts \$15.72

LODGING & TOURISM

39073 Danielle Dascalos, Promotion \$1,200.00
39074 HIP, Mural Deposit \$3,000.00
39075 LCH, Promotion \$1,667.00
39076 LCH, Brochures \$1,394.68
39077 Techno Graphics, Promotions \$771.19
39078 Your Community Foundation, Music Festival \$25,000.00

PUBLIC HEALTH AGENCY

Lindsey Blackwelder, Part Time Tobacco Educator Salary \$428.63
John Fox, Doctor Salary \$100.00
Darcy Janssen, Regional EPR Coordinator Salary \$4,250.00
Kelly Linnebur, Office Manager Salary \$3,135.00
Patricia McHone, WIC Educator Salary \$3,375.00
Jobeth Mills, Director Salary \$3,678.00
Ken Stroud, EPR Salary \$1,739.00

39153 AFLAC, Premiums \$191.80
39154 CDPHE, Certificates \$159.75
39155 CenturyLink, Phone \$186.18
39156 CHP, Insurance \$5,579.87
39157 CO Public Health Association, Conference \$294.00
39158 Evergreen Systems, IT Service \$46.75
39159 FNB Omaha, Charges \$85.13
39160 Great West Life & Annuity, Deferred Comp \$1,225.00
39161 Tracy Grimes, Rent \$530.00
39162 KCCHHS, 1st Qtr Payment \$1,224.72
39163 Sonia Machuca, Interpreting \$53.00
39164 Sanofi Pasteur, Vaccinations \$1,544.95
39165 SEI Private Trust, Retirement \$421.91
39166 Treasurer of Lincoln County, State Withholding \$403.72
39167 Treasurer of Lincoln County, Federal Withholding \$886.25
39168 Treasurer of Lincoln County, FICA \$2,536.12
39170 Xerox, Lease \$39.02

39282 FNB of Omaha, Charges \$199.00
39283 Hugo Postmaster, Box Rent \$64.00
39284 Osborne's, Supplies \$17.96
39285 Sanofi Pasteur, Vaccinations \$4,206.16

HUMAN SERVICES ADMINISTRATIVE FUND

Tricia Borns, Child Support Legal Admin Salary \$3,525.00
Melissa Gossett, Caseworker III Salary \$4,039.00
Sherri Hansen, Financial Administrator Salary \$3,415.00
Debra Klapperich, Lead IMT V Salary \$3,447.00
Robert Kraxberger, Assistance Pmts Supervisor Salary \$3,910.00
Andrew Lorensen, Child Welfare Supervisor Salary \$4,997.00
Larissa Lukins, Caseworker III Salary \$4,039.00
Bailey Mares, Admin Assistance III Salary \$2,990.50
Patricia Phillips, Director Salary \$5,877.00
Kim Quintana, IMT II Salary \$3,018.00
Amy Seymour, Caseworker IV Salary \$4,313.00
Samantha Winterberg, Case Aide II Salary \$2,908.00
Shonda Yowell, Caseworker II Salary \$3,936.00
68526 ESRTA, Phone \$1,561.54
68527 Farm Gas, Fuel \$64.84
68528 Lexis Nexis, Subscription \$50.00
68529 Matthew Bender, Services \$695.50
68530 LC DHS, Reimbursement \$955.19
68531 Osborne's, Supplies \$21.42
68532 Office Depot, Supplies \$23.34
68533 Petty Cash, Reimbursement \$78.30
68534 Witt Boys, Parts \$75.57
68535 Xerox, Lease \$175.00
68536 CenturyLink, Phone \$91.96
68537 CKLECC, Contract \$1,401.54
68538 Express Toll, Travel \$200.00
68539 FNB Omaha, Charges \$31.81
68540 FNB Omaha, Charges \$12.99
68541 FNB Omaha, Charges \$1,501.40
68542 FNB Omaha, Charges \$364.18
68543 FNB Omaha, Charges \$495.50
68544 FNB Omaha, Charges \$463.79
68545 FNB Omaha, Charges \$32.08
68546 Tracy Grimes, Rent \$400.00
68547 Jefferson County Sheriff, Services \$46.50
68548 Limon Leader, Ads \$136.50
68549 LC DHS, Reimbursement \$574.00
68550 LC Treasurer, Rent \$1,882.00
68551 Office Depot, Supplies \$239.99
68552 Osborne's, Supplies \$4.09
68553 Rose Padilla, Contract \$128.75
68554 Patricia Phillips, Reimbursement \$94.50

68555 Scranton Specht & Associates, Legal \$6,528.99
68556 Mary Solze, Contract \$508.37
68557 Verizon Wireless, Phone \$644.52
68558 Viaero Wireless, Phone \$47.46
68559 XESI, Lease \$119.33
68560 LC Treasurer, Withholdings \$13,129.26
68561 CHP, Insurance \$23,708.35
38562 SEI Private Trust, Retirement \$3,527.75
38563 Great West Life & Annuity, Deferred Comp \$1,745.00
68564 PayFlex, Cafeteria Plan \$200.00
68565 AFLAC, Premiums \$794.69

With no further business to come before the Board, Mr. Schiffers adjourned the meeting at 1:57 p.m.

Corinne M. Lengel, Clerk to the Board

Ed E. Schiffers, Chairman

Board of County Commissioners of Lincoln County
Agenda for May 20, 2019

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Robert Breault to discuss a road use matter
- 10:00 Dusty Johnson, Northeast Area Representative for Congressman Ken Buck, to provide legislative updates
- 11:00 Conference call with Ronny Farmer, the Lincoln County Auditor, to discuss matters regarding Karval Water Users
1. Approve the minutes from the May 7, 2019 meeting
 2. Review the April, 2019 reports from the County Assessor, County Clerk & Recorder, County Sheriff and County Treasurer
 3. Review employee timesheets for Weed Coordinator Wayne Shade
 4. Review the April, 2019, reports from the Colorado Counties Casualty and Property Pool and the County Workers' Compensation Pool
 5. Review and act upon Amended Resolution #944, a resolution concerning the issuance of special event permits by the Board of County Commissioners of Lincoln County, Colorado
 6. Review and act upon proposed Resolution #986, a request for the renewal of the ambulance service license for the Community Ambulance Service, Incorporated, located in Arriba, Flagler, and Seibert, Colorado
 7. Act upon a vacancy in the Lincoln Community Hospital Board of Trustees
 8. Review and act upon a Public Event Application from The Colorado Prairie Arts & Music Council
 9. Discuss purchasing new chairs for the Commissioner Board Room in the Lincoln County Courthouse
 10. County Commissioner reports
 11. County Attorney's report
 12. County Administrator's report
 13. Old Business
 14. New Business

The Board of Lincoln County Commissioners met at 9:00 a.m. on May 20, 2019. The following attended: Chairman Ed E. Schifferns, Commissioners Steve Burgess and Doug Stone, County Administrator Jacob Piper, County Attorney Stan Kimble, and Clerk to the Board Corinne M. Lengel. Juliet Lundy with the Eastern Colorado Plainsman and Limon Leader attended until 12:25 p.m.

Chairman Schifferns called the meeting to order and asked Mrs. Lundy to lead the Pledge of Allegiance.

Mr. Stone made a motion to approve the minutes from the meeting held on May 7, 2019, as submitted. Mr. Burgess seconded the motion, which carried unanimously.

Land Use Administrator Fred Lundy arrived while the Board reviewed the April 2019 reports from the Assessor, Clerk and Recorder, Sheriff, and Treasurer, as well as employee time sheets from Weed Coordinator Wayne Shade.

The Board reviewed the April 2019 reports from the Colorado Counties Casualty and Property Pool and the County Workers' Compensation Pool and then discussed amending Resolution #944 to update the Liquor Code from Title 12 to Title 44. Mr. Kimble said Mrs. Lengel sent him the amended resolution depicting the correct statute numbers for his review, and he saw no problems with it. Mr. Burgess made a motion to adopt amended resolution #944 updating the liquor code on the issuance of Special Event Permits. Mr. Stone seconded the motion, which carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado, held in Hugo, Colorado, on May 20, 2019, there were present;

Ed E. Schifferns, Chairman	Present
Steve Burgess, Vice Chairman	Present
Doug Stone, Commissioner	Present
Stan Kimble, County Attorney	Present
Corinne M. Lengel, Clerk to the Board	Present
Jacob Piper, County Administrator	Present

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

Amended Resolution #944: It was moved by Commissioner Burgess and seconded by Commissioner Stone to adopt the following amended resolution:

AMENDED RESOLUTION NUMBER 944

**THE BOARD OF COUNTY COMMISSIONERS
OF LINCOLN COUNTY, COLORADO**

A RESOLUTION CONCERNING THE ISSUANCE OF SPECIAL EVENT PERMITS BY THE BOARD OF COUNTY COMMISSIONERS OF LINCOLN COUNTY, COLORADO.

WHEREAS, On October 1, 2018, all of the statute numbers within the liquor, beer and special events codes were moved from Title 12 to Title 44 within Colorado Revised Statute, and

WHEREAS, it is necessary to amend Resolution Number 944 to comply with the new statutes, and

WHEREAS, in accordance with 44-5-107 (5) (a), C.R.S., a local licensing authority may elect not to notify the state licensing authority to obtain the state licensing authority's approval or disapproval of an application for a special event permit.

WHEREAS, the Board of County Commissioners of Lincoln County, Colorado, has all of the powers of the local licensing authority for Lincoln County as set forth in applicable law; and

WHEREAS, the Board of County Commissioners of Lincoln County, Colorado, has the power to exercise, on behalf of Lincoln County, the discretion provided by 44-5-107 (5) (a), C.R.S.; and

WHEREAS, the Board of County Commissioners of Lincoln County, Colorado, has decided to elect not to notify the State Licensing Authority to obtain the State Licensing Authority's approval or disapproval in accordance with §44-5-107(5) (a), C.R.S. for a Special Event permit, and

WHEREAS, the Board of County Commissioners of Lincoln County, Colorado, wishes to insure that Lincoln County acts in accordance with applicable statutes and regulations in acting upon an application for a Special Event Permit.

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1 – Special Event Permit Authority: The Board of County Commissioners of Lincoln County, Colorado, acting as the Liquor Licensing Authority, is hereby authorized to approve an application for a Special Event Permit for an event within unincorporated Lincoln County without notification or referral to the State Licensing Authority for its approval or disapproval.

SECTION 2 – Notification to State Licensing Authority: In accordance with §44-5-107(5)(a), C.R.S., the County Clerk or the County Clerk's designee shall report to the Liquor Enforcement Division within ten (10) days after a Special Event Permit is approved, the name of the organization to whom a permit was issued, the address of the permitted location, and the permitted date or dates of alcohol beverage service.

SECTION 3 – Applicable Law: In acting upon an application for a Special Event Permit, Lincoln County, Colorado, shall comply with §44-5-101, *et seq.*, C.R.S., and Colorado Code of Regulations 1 C.C.R. 203-2, Regulations 47-1000 through 47-1018, as such statutes and regulations may be amended from time to time.

SECTION 4 – Severability: If any portion or provision of this Resolution is for any reason held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provision shall not affect any of the remaining provisions of this Resolution, the intention being that the same are severable.

SECTION 5 – Effective Date: This Resolution shall be in full force and effect for any application for a Special Event Permit approved on or after this Resolution’s adoption.

Upon roll call the vote was:

Commissioner Schifferns, Yes; Commissioner Burgess, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County, Colorado

ATTEST:

Corinne M. Lengel, Clerk of the Board

The Board discussed the renewal of the license for the Community Ambulance Service, Inc., and then Mr. Burgess made a motion to adopt a resolution renewing the ambulance service license for the Community Ambulance Service, Incorporated. Mr. Stone seconded the motion, which carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado, held in Hugo, Colorado, on May 20, 2019, there were present:

Ed E. Schifferns, Chairman	Present
Steve Burgess, Vice Chairman	Present
Douglas D. Stone, Commissioner	Present
Stan Kimble, County Attorney	Present
Corinne Lengel, Clerk of the Board	Present
Jacob Piper, County Administrator	Absent and Excused

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

RESOLUTION #986 It was moved by Commissioner Burgess and seconded by Commissioner Stone to adopt the following resolution:

WHEREAS, pursuant to the Colorado Emergency Medical Services Act, Section 25-315.101, et seq., C.R.S., the Board of County Commissioners has the authority to establish requirements for the inspection, licensure, and operation of ambulance services, ambulance personnel, and ambulance vehicles operating in the county; and

WHEREAS, the Lincoln County Commissioners adopted Resolution #651 and thereby established rules and regulations governing the licensure of ambulance services operating within Lincoln County; and

WHEREAS, Community Ambulance Service, with ambulances based in Flagler and Seibert in Kit Carson County and Arriba in Lincoln County, has presented the Board of County Commissioners with an application to license the ambulance service and to permit their ambulances as basic life support vehicles; and

WHEREAS, upon review, the Board of County Commissioners determined that the documentation presented met the rules and regulations established under Resolution #651;

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County that Community Ambulance Service is hereby authorized to provide ambulance service in Lincoln County with basic life support ambulances.

Upon roll call the vote was:

Commissioner Burgess, Yes; Commissioner Schiffers, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

ATTEST:

Clerk of the Board

After discussing the vacancy on the Lincoln Community Hospital Board of Trustees, Mr. Stone made a motion to appoint Josie Jones to fill the vacancy. Mr. Burgess seconded the motion, which carried unanimously.

Robert Breault met with the Board to discuss a road matter at 9:30 a.m. Also attending the discussion were Greg Ashmore and John Theisen, Land Use Administrator Fred Lundy, Sheriff Tom Nestor, and Jail Captain Michael Yowell. Mr. Breault thanked the commissioners for the letter sent to landowners, commenting that it was appropriate and accurate. He asked for a date that the situation might be taken care of, and then spoke of the practical reasons he had for his request. Estimated statistics Mr. Breault spoke of included how many times in a year he would have to open and close the gates if he left his home three times per day (6,570) and how many times he would have to shift in and out of “park” in a year’s time (26,280), placing unnecessary stress on his vehicle’s transmission. He also mentioned the fact that a neighbor placed a handmade cattle guard in one area on the road that had sharp objects sticking up from it, which could easily puncture or otherwise damage a vehicle’s tires. Mr. Breault called the neighbor, but they never fixed the cattle guard. He went on to say that as he saw it, his neighbors have two options to keep their cattle in: install a cattle guard on the county road, or fence their property on either side of the road. Mr. Breault informed the group that he’d filed a restraining order on one party who verbally assaulted him over the weekend.

Mr. Lundy commented that the letter he sent to landowners clearly stated that county regulations do not allow fencing or locked gates on a county road, and Sheriff Nestor put in that although there are gates, they are not locked.

Mr. Kimble stated that county regulations don’t require fences to be back away from the road on minor secondary county roads. Gates are allowed as long as they are not locked, and there can be no obstructions on primary or secondary roads. He suggested that Mr. Breault hire an attorney and attempt to settle the matter in civil court.

Mr. Breault argued that the road in question allows access to seventy different properties in the LDS subdivision, and because it is a subdivision, all landowners can use the road if they want to. He commented that all other landowners have “done the right thing” and fenced in their property, except for the two who put up the gates.

When asked if the area is, in fact, a subdivision, Mr. Lundy responded that the plat indicated such, but it wasn’t ever recorded. If the subdivision were recorded, the road they were discussing would be a private road, which is what it should be. However, it was already there when the subdivision was formed.

Mr. Kimble explained that the commissioners can change the road policy at their discretion if they are so inclined and asked if the gates impede Mr. Breault from accessing his property. Mr. Breault didn’t answer the question, but instead, asked what would happen if the gate were broken or the cattle guard fell in and emergency personnel couldn’t get back into the residences.

While the other two commissioners might have a different opinion from his, Mr. Burgess said he wasn’t in favor of changing the county road policy since the road is not for public access, nor

did he believe in forcing residents to put up fences. He also suggested that Mr. Breault take the matter to civil court as Mr. Kimble had.

Mr. Stone agreed with Mr. Burgess, and then asked Mr. Breault if he could access his property on Highway 94 from the south, which would only be about half a mile. Mr. Breault said he would have to cross land owned by other residents if he did. He insisted that his property access was blocked by a neighbor, but the group disagreed, stating that there are gates that he can open. Mr. Schifferns agreed with the other two commissioners, and Mr. Breault left the meeting room. He returned shortly to say that at the last meeting, the Board told him it was the responsibility of the landowner to keep their cattle in, and he wanted to know what would happen if someone left the gates open.

Sheriff Nestor provided a statute number; 35-46-107 C.R.S., which stated that it was against the law to intentionally or willfully leave any lawful gate open. He added that the gates in question were lawful gates by definition. Mr. Breault asked again what would happen if the gate were broken or someone couldn't get through, and the sheriff told him to call the sheriff's office and they would be happy to look at it or the cattle guard.

Mr. Breault left again, and Mr. Burgess commented that if he took the case to court and won, the county would deal with the consequences and take care of it. Sheriff Nestor was saying that good neighbors close gates when Mr. Breault returned yet again. He stated he was putting up fences now and asked if he were allowed to obstruct the road since others had. Mr. Kimble told him the policy applies to everyone, and Sheriff Nestor said he would ask the county to remove a fence placed in the middle of a county road. He repeated that his department would look into it and report back to the commissioners.

Mr. Breault asked if putting up a gate allowed him to obstruct the county road, and the sheriff responded that *no one* had permission to block a county road. Sheriff Nestor told Mr. Breault once again that he would have one of his deputies come down and look at it, and Mr. Breault left, followed by the sheriff and captain, Mr. Lundy, Mr. Ashmore, and Mr. Theisen.

At 10:00 a.m., Dusty Johnson, Northeast Area Representative for Congressman Ken Buck, met with the Board to provide legislative updates. She informed the group that the congressman is on the Judiciary and Foreign Affairs committees and spoke of recent U.S. tariffs on China and hopeful negotiations. Mr. Burgess brought up how the African Swine Fever (ASF) affected that country recently, and Ms. Johnson agreed that it was devastating to the pig industry there. The disease is highly contagious but is not a threat to human health, and pigs cannot transmit the virus to humans. So far, there have been no cases of ASF discovered in the U.S.

Congressman Buck introduced legislation on the transparency of U.S. funds regarding using foreign dollars to advance U.S. foreign policies and is also trying to re-establish the U.S. space command.

Ms. Johnson asked if the commissioners had any questions that she could take back to the congressman, and Mr. Burgess said small towns that are having problems with their current water or sewer systems need a funding source to fix the issues. He added that the Board is currently trying to help the town of Karval with their water system, and they are having a terrible time coming up with the money they need. Ms. Johnson told him that she could check into it, but general blanket funds are what's available from the federal government, and states tend to tack on more regulations. She said she would send some information to Mr. Piper, but it would most likely take a state program to provide funding for the project.

Ms. Johnson left, and Fred Lundy stopped back in to let the Board know that Robert Breault's property is surrounded by private roads, so all property owners are responsible for maintaining them.

Patrick Leonard arrived at 10:30 a.m. for the 11:00 call with Ronny Farmer. Mr. Schiffers asked if he'd heard anything regarding funding for the Karval water system, but Mr. Leonard said they were still waiting for the company to come and put in the media. Otherwise, he hadn't heard anything else.

The Board reviewed a Public Event Application from The Colorado Prairie Arts & Music Council, and Mr. Piper said that the sheriff had no issues with it. Mr. Burgess made a motion to accept the application, and Mr. Stone seconded the motion, which carried unanimously.

Mr. Burgess asked the others if they thought it was a conflict of interest that Megan Mosher is the secretary of CPAM and also works so closely with the Tourism Board. Mr. Piper said she wasn't a voting member, and Mr. Kimble added that it's only a conflict if the person benefits financially from their position or has the right to vote.

The Board briefly discussed buying new chairs for the commissioner room. Mr. Piper had several different options, but Mr. Stone suggested they wait until the next budget year.

At 11:00 a.m., before calling county auditor Ronny Farmer, the group discussed the issues with funding that Karval Water Users had. Mr. Piper said that the Colorado Water Resources and Power Development Authority is the entity that will supply the money, and they are the ones saying that KWU needs to be a component unit of the county or a special district. Mr. Farmer's suggestion was to treat it like the county does the hospital and allow KWU to handle its own revenues and expenditures. The commissioners might have to appoint a board, and there was the possibility that the county would have to put money in the KWU fund balance. They looked at Routt County as an example because they handle water departments for some of their municipalities, but they also have a separate office with county-paid employees to take care of everything.

Mr. Kimble stated that it appeared they want the county to be responsible, adding that he'd asked on the County List Serve if anyone knew if a non-profit organization has to disband if it becomes a component of the county. He didn't have many responses.

Mr. Piper said he'd suggested the county handle KWU similarly to the Transportation Enhancement Grant for the roundhouse, but the idea wasn't received well.

Mr. Leonard wanted to know if the county's current accounting employees could take care of KWU expenses for something like a dollar a year, but Mrs. Lengel stated that the employees' time to complete accounts payable, general ledger, and whatever else they had in mind would cost much more than a dollar a year. Mr. Stroud asked if the hospital handled their own accounting, which it does.

Mr. Piper called Ronny Farmer who said he'd reviewed the audited financial statements and Routt County's information, and Routt County treats it as a fund rather than a component unit like Lincoln Community Hospital. Mr. Farmer said he wasn't sure how much involvement the commissioners would have as the non-profit would appear as a governmental fund in the disclosures of the county's financial statements.

Mr. Piper asked if it would be easiest to treat KWU similar to the way the county manages the hospital, and Mr. Farmer responded that from an auditor's standpoint, a component unit is not the same as a fund; it provides further distinction. If the water users disbanded, the county might have to take it over. Mr. Kimble asked him if creating a component unit isolated the county's liability, which it does. The county's General Fund would have to provide the money, but Mr. Farmer said that in the instance of the hospital if it does something the county disagrees with, the county is not financially obligated for the debt. He believed it would be the same with Karval Water Users, and went on to say that if they disclosed it in the financials and footnotes, it lets the state auditors know that the county isn't responsible for the debt. However, he didn't know what the legal aspects were.

Mr. Kimble asked if a non-profit could still be a component unit of the county, and Mr. Farmer said it could, but they would have to publish meetings, appoint a board, and act as a governmental entity, even though it wasn't. Something else to think about, he added, was what might happen if the debt went on for decades and if there would still be enough water users left to pay it off.

Mr. Kimble summarized Mr. Farmer's comments, stating that if KWU were going to get the money they needed, the county would have to convince the funding entities to set the organization up as a component unit such as the hospital and not create a separate fund.

Mr. Piper asked if it would require a resolution and added that they wouldn't be able to do anything with the 2019 budget. Mr. Farmer said they wanted to call it an enterprise fund reflecting in the financial statements as a component unit of the county. KWU would have to prepare a budget for the Board's review, but there would be no mill levy.

Mr. Kimble asked if they needed to talk with a bond attorney, and Mr. Farmer asked if it would be a grant or a loan. Mr. Piper told him that it runs through the CDPHE Revolving Fund, and Mr. Kimble added that Beth Fox with the Colorado Water Resources and Power Development

Authority talked about a Design and Engineering Grant. The money for building the new system would come from there. Mr. Farmer said that since the non-profit is the end user, the funding source would require some form of security. He suggested talking to the funding agency to find out exactly what they wanted. After that, determining the county's liability and making sure all parties know that the debt would belong to Karval Water Users and not the county would be the next step.

Since the Colorado Water Resources and Power Development Authority recommended talking to a bond attorney, Mr. Kimble said he'd contact Lisa Meyers for an advisory opinion. He and Mr. Piper will hold a conference call with the bond attorney, and Mr. Burgess asked what that would cost. Usually, they charge \$300-to-\$600 per hour, and Mr. Kimble didn't believe it would take longer than an hour. The Board authorized Mr. Kimble and Mr. Piper to hold the conference call, and Mr. Kimble said he'd contact Beth Fox as well.

Mr. Burgess relayed Mr. Stone's impression that the system shouldn't cost \$400,000 when drilling a well typically runs around \$10,000. Mr. Leonard told him that the figures were put together based on other jobs that Nicholas Marcotte with Element Engineering had done and were only an estimate. They didn't believe it would cost nearly that much since they wouldn't need paving or several of the other items in the bid. They had also thought that a different grant would specifically cover the engineering fees.

Mr. Stone asked where they would search for water. Mr. Leonard said it would have to be private land, and they would have to enter into agreements with the landowners. He wanted to know if the county could just put up the money and KWU could pay it back like in the past, but Mr. Burgess said that was setting precedence, which the Board didn't want to do.

Mr. Kimble asked Mr. Leonard if Karval Water Users is a non-profit organization, but Mr. Leonard wasn't sure. He said they are incorporated, adding that people outside of the town limits wouldn't contribute so that people inside the town limits could have water. Juliet Lundy spoke up and said he might be surprised what kind of donations people would make if they learned it would help the school, and she suggested doing a newspaper article to help with awareness.

When Mr. Leonard left, Mr. Schifferns called for commissioner reports.

Mr. Burgess attended the DOLA meeting at the Limon town hall on May 7. On the Eighth, Chris Monks called needing flashing beacons for trucks on the milling project. He found some in Denver, but Charlie with Castle Rock Construction said he would provide them and commended the road crews for the job they were doing. Steve Daniels with Daniels Electric called Mr. Burgess to say they had to dig up the conduit to the show barn for the electrical inspection, which would hopefully be complete the following week. He spoke with Bruce Walters about equipment needs and worked on removing the bleachers at the Limon school. On May 9, Mr. Burgess went to Genoa to check on the milling project and then stopped by the fairgrounds to meet with someone about exposing the pipes for the electrical inspection. He also went to

Denver for truck parts and took a call from Chris Monks regarding the state taking some of the millings for the frontage road. Castle Rock Construction shut down the project to fix traffic control devices on May 13, but the county trucks continued to haul millings to their various yards. They did a walk-through of the electrical project at the fairgrounds on May 14, and the state inspector approved it. They also moved the bleachers from the school to the fairgrounds with the help of all districts. The commissioners were on hand for the tear-down with which school personnel helped. Mr. Burgess talked to Bob Johnson with CDOT on May 15 and asked if they could pile millings in Flagler. He approved the same agreement they had with Arriba. On May 16, Mr. Burgess went to Flagler to work on the milling dump site. He said they also got five electrical adapters back from Dryland Electric. Mr. Burgess took a complaint about County Roads 35, 4C, and 3T north of Genoa on May 17, so he had a couple of his road crew operate road graders. He attended the county picnic, got a call from Chris Monks about some problems on the bridges from the bridge report, and talked to Larry Monks about a Gator for the landfill that he wants \$4,000 for. New ones cost around \$14,000. Mr. Burgess picked it up from Mr. Monks earlier this morning, and he also let Bruce Walters know about the bridge problems that Chris reported.

Mr. Stone reported attending the DOLA meeting in Limon on May 7, as well as the electrical walk-through at the fairgrounds on May 14. He also helped with moving the bleachers. Mr. Stone attended the fair board meeting that evening, where they discussed the vendor tax and the grandstands. On May 17, Mr. Stone attended the county picnic and then went by the fairgrounds. He checked roads east of Karval and down by Highway 94 on May 18.

Mr. Schifferns talked with Chris Monks about overweight vehicles on May 8. They found out the trucks really weren't over the limit after all, but Chris also told him that Castle Rock Construction wanted them to have lights on the trucks for safety. They had a late start on the milling project on May 9 because of a minor breakdown, and CDOT stopped work on I-70 for safety precautions on May 13. Mr. Schifferns was a part of the electrical walk-through at the fairgrounds on May 14 and also on site when they moved the bleachers. He talked to Chris Monks on May 16; Castle Rock Construction planned to have a barbecue for the workers. Mr. Schifferns attended the county picnic on May 17, and then went by the landfill and talked to Mick Jaques. The fence was filling up with trash again, and since their vehicle broke down, he suggested they look for something to replace it, possibly a golf cart. He called Mr. Burgess, who suggested the Gator.

Mr. Kimble provided a Memorandum of Understanding between the county and Public Service Company of Colorado doing business as Xcel Energy Services, Inc. The MOU was the result of a meeting and agreement reached between the county, the "Rush Creek II Wind Project," and the "Shortgrass Project" regarding County Road 2W. He asked that the commissioners review the MOU and decide if they wanted to put it with a resolution or sign it as-is.

Mr. Burgess clarified that the county wouldn't release the Rush Creek II bond until the road foreman and commissioners were happy with the condition of County Road 2W, which Mr. Kimble affirmed. He asked if the Shortgrass project put up a bond, but Mr. Kimble told him

they are using Rush Creek's. The Board agreed to have Mr. Piper draft a resolution and sign it and the MOU at the next meeting.

As for the Cheyenne Ridge project, Mr. Kimble said they agreed to everything, but John Lupo's signature didn't appear on the document. Once he receives the signed agreement, he will get it to the commissioners.

Mr. Piper reported that the retirement balances were delayed again. The company is still communicating well, however, which is an improvement from the last company. Court Clerk Kim Graham asked Mr. Piper where they were on replacing the carpet on the courts' side of the building since the commissioners promised to do that this year. She would also like a couple of doors changed out next year if possible, and Mr. Piper said the Board would come over and look at it when they got the chance. Mr. Burgess thought John Mohan was going to replace the carpet, so Mr. Piper said he'd talk with him, get some prices, and bring the maintenance budget to the next meeting. As for the doors, Mr. Burgess suggested they look at other options to replacing them, and Mr. Piper said he'd have John Mohan look at them as well.

Since she'd been on vacation and hadn't heard anything further, Mrs. Lengel asked Mr. Piper if he had any more information on the Mag-locks for the courthouse office doors. He did not, so she said she'd go ahead and order one for her office. The company offered to allow them to see if they liked it before ordering for other departments, so she said she'd also see about getting a couple of electrical bids.

Mr. Schifferns called for old business, and Mr. Burgess said he'd checked on the traffic signals for the landfill, but the ones he found for \$94 were only eight inches tall, which weren't big enough. He said he'd keep looking.

Mr. Schifferns asked if Dave Dobbs ever made it in to repair the cabinets in the Clerk's and Driver's License offices, but Mr. Piper said he'd asked them to look for someone else if they could because he was so busy. Mr. Piper suggested Joe Higgins, who is starting up a new business, and Mr. Stone said he'd speak with Tom Mannis but felt he would probably decline.

Mr. Schifferns also asked what was happening with the janitorial situation, and Mr. Piper told him that John Mohan wanted to come and talk with the commissioners when they finished their meeting.

Juliet Lundy left at 12:25 p.m. as Mr. Schifferns called for new business. There was none, so he adjourned the meeting at 12:30 p.m.

Corinne M. Lengel, Clerk to the Board

Ed E. Schifferns, Chairman

Board of County Commissioners of Lincoln County
Agenda for May 30, 2019

9:00 Call to order and Pledge of Allegiance

9:30 Tom Nestor, Lincoln County Sheriff, to discuss personnel matters

10:00 Jobeth Mills, Public Health Director, and Ken Stroud, EPR Coordinator, to present an EPR contract and to present the May 2019 Public Health Agency's monthly report

1. Approve the minutes from the May 20, 2019 meeting
2. Approve the April, 2019, Statement of Revenues and Expenditures for County General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, Road and Bridge and Individual Road Districts
3. Review the monthly management report from the First National Bank Omaha
4. Discuss the rates at the Lincoln County Landfill regarding implementation of the weight scales
5. Old Business
6. New Business
7. Approve payroll and expense vouchers

The Board of Lincoln County Commissioners met at 9:00 a.m. on May 30, 2019. The following attended: Chairman Ed E. Schifferns, Commissioners Steve Burgess and Doug Stone, County Administrator Jacob Piper, and Clerk to the Board Corinne M. Lengel. Juliet Lundy with the Eastern Colorado Plainsman/Limon Leader attended until 12:25 p.m.

Mr. Schifferns called the meeting to order and asked Mr. Stone to lead the Pledge of Allegiance.

Mr. Stone made a motion to approve the minutes from the meeting held on May 20, 2019, as submitted. Mr. Burgess seconded the motion, which carried unanimously.

Mrs. Lengel asked for some time to discuss the Mag-lock and electrical bid she'd gotten for her office. Tim Hilferty contacted Fox's Electric, LLC and Dryland Electric and asked them to come to the Clerk's office to discuss the project. Both parties agreed they could install the magnetic door lock, but only Fox's Electric submitted a bid. Mrs. Lengel provided the proposal for the commissioners to review, stating that she had the money in her budget and would be happy to pay for it if necessary. Scott Witzel indicated to Mr. Hilferty that the labor in the bid might be a little high, but he didn't know how much time it would require until they started. Mrs. Lengel added that completing the work in one office would help other departments decide if they wanted to take the same course of action. The Board thought it was a good idea to get it done and asked if her office would require any other magnetic door locks. All the other doors are currently locked all day, so the main entrance to her office would be the only one she would need. Mr. Piper said there is still \$18,000 in the Repairs and Maintenance line item of the Grounds and Buildings budget. Mrs. Lengel repeated she would be happy to take it from her budget if they preferred to wait and see if other departments wanted to install the locks as well. Mr. Stone said it was a building maintenance item and should come from the Grounds and Buildings budget. Mr. Burgess made a motion to approve the \$1,731.02 bid from Fox's Electric, LLC to install a magnetic lock on the main entrance of the Clerk's office using money from the Grounds and Buildings budget. Mr. Stone seconded the motion, which carried unanimously.

Mrs. Lengel thanked the commissioners and said she would keep them updated.

The Board reviewed The April 2019 Statements of Revenues and Expenditures for the General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, and Road & Bridge funds, as well as for the individual road districts. The commissioners also reviewed the monthly management report from the First National Bank of Omaha.

At 9:30 a.m., Sheriff Tom Nestor, Undersheriff Gordon Nall, and Jail Captain Michael Yowell met with the Board to discuss personnel matters. Captain Yowell apologized to the commissioners, stating that he neglected to include a justification sheet at budget time for Coley Britton's promotion, which they promised him when he became P.O.S.T. certified. Corporal Britton recently completed the certification, and the captain said he would like to move him up to Level 3, which is the level on the pay scale for Correctional Officer III and road deputies. Undersheriff

Nall put in that it helped to have P.O.S.T certified officers in the jail as the road deputies don't have to spend as much of their time there.

Mr. Burgess made a motion to approve a promotion for Corporal Coley Britton to Level 3, Step 7 for six months after which he will automatically move to Level 3, Step 8. Mr. Stone seconded the motion. Mrs. Lengel asked what his new job title would be, and Sheriff Nestor said to use Correctional Officer III.

Sheriff Nestor asked if they could discuss vehicles, as they had a pursuit that resulted in some damage to the push bumper on a deputy's car on May 24. He got a quote of approximately \$3,000 from Steve's Auto Body, so he decided that they would take the vehicle to an up-fitter and have them fix it for about \$1,000. Deputies also responded to help Limon P.D. earlier in the week during the rain/hail storm. Two vehicles went off the road, hitting several T-posts. One car suffered minor damage to the door handle, front fender, and rear door, but it's mainly cosmetic and would take about \$1,500 to repair it. The car is currently at Transwest where they are replacing the door handle, balancing the tires, and re-aligning the vehicle. The SUV had more extensive damage since some of the airbags deployed. It is not drivable at this point and will cost around \$8,800 to fix it. Mr. Piper asked if they completed an accident report that he could turn into the insurance company, and Undersheriff Nall told him that CSP covered both accidents and filed reports.

Mr. Schifferns wanted to know if the sheriff could trade for another vehicle now so they could have a backup, but Sheriff Nestor said they usually have a spare; it's just that they've had a lot of problems with their cars so far this year. The undersheriff added that they would get the new Silverado back next week, so they should have enough vehicles to cover everyone. He added that the transport van is still almost three weeks out because they had to make the insert from scratch. Sheriff Nestor told the Board that three of their vehicles would each have over 100,000 miles on them next year. Undersheriff Nall said they only bought one patrol car in 2018 since they purchased the command vehicle.

As for County Road 2A, Sheriff Nestor said deputies looked at it and provided dash-cam and body-cam footage showing there are no problems with opening the gates on the road as Robert Breault indicated. There are three gates and one cattle guard, and the sheriff said the gates are easy to open and they would have no issues or concerns with fire and medical personnel being able to respond to calls in the subdivision. The cattle guard seemed to be in good shape, and they saw nothing sharp on it that could damage a tire.

Mr. Piper said that Mr. Breault was back in his office the previous day wanting to know how wide a right-of-way has to be by county standards. The sheriff said that it's a minor secondary road, so there isn't one. There are also no fences in the middle of County Road 2A according to the sheriff.

Undersheriff Nall asked if it was okay to have the 2017 Ford Explorer fixed by Steve's Auto Body, and the commissioners agreed to have it repaired.

Mr. Burgess asked Sheriff Nestor about his ice machine, and the sheriff responded that he unhooked it and the Board just needed to let him know what they wanted to do with it.

Mr. Schifferns asked if all of the security was taken care of for the Ranch Rodeo, and Sheriff Nestor said it was.

At 10:00 a.m., the Board adjourned and reconvened as the Board of Public Health to meet with Public Health Director Jobeth Mills, EPR Coordinator Ken Stroud, and Regional EPR Coordinator Darcy Janssen. Mrs. Mills presented the EPR Contract, and Mrs. Janssen explained that the state increased the funds for the region by approximately \$9,000. The total contract for the new fiscal year is \$112,057.00. When Mrs. Mills commented that there was about \$15,000 left in this year's EPR budget, Mrs. Janssen said they would purchase a couple of desktop computers for her and Kelly Linnebur since they were both currently using laptops.

Mr. Burgess made a motion to sign the EPR Annual Contract for Public Health for \$112, 057.00. Mr. Stone seconded the motion, which carried unanimously.

Mrs. Mills gave the Public Health report for May and then provided the new STEPP grant for \$36,750, which will fund the tobacco program. Mr. Stone made a motion to approve the STEPP grant, Mr. Burgess seconded the motion, and it carried unanimously.

Mr. Stroud stated that they were working on deliverables for EPR and completed a Functionality Accessibility class to address specific needs in the event of an emergency. He added that Lincoln County was in better shape than they expected, and the state is looking at statewide outreach right now.

Mrs. Mills informed the Board that they hosted a Psychological First Aid class at the courthouse, and also participated in a mass fatality workshop in Kit Carson County. They've also been coordinating with a fiscal agent on their oxygen project, which would supply oxygen to Lincoln County on a local and regional level in an emergency. Estimated grant funds are around \$6,000. Mrs. Janssen explained that the grant would help with the upfront costs but wouldn't sustain the project, which was why Public Health was working with the fiscal agent. Mrs. Mills said they would present it to EMS when they get a little further into the project.

Lastly, Mrs. Mills told the commissioners that the state mandated a huge assessment with a completion date of July 10. They want to determine what public health agencies are doing, what projects they are working on, and what funding they are using. They will have the results in August.

Mr. Stone asked Mrs. Mills if she carried rattlesnake anti-venom at the office or if she knew if the hospital did, but Mrs. Mills said they didn't because it was so expensive; around \$10,000 per vial. She added that sometimes, people need more than one dose.

UC Health will come out on July 2 to give a Stop the Bleed class for county employees, and they will also do basic First Aid classes.

Mr. Schifferns asked Mrs. Mills if she knew anything about bat infestations, and the nurse responded that anytime they hear of a problem, they contact the game warden.

The Board adjourned as the Board of Public Health and reconvened as the Board of County Commissioners at 10:45 a.m.

Ken Stroud said that the grant was ready for the electronic message board, so as long as FEMA agreed to provide the funding, they should have the sign by the end of the summer. Mr. Stroud also informed the commissioners that Len Stone told Chris Monk that he might want to get rid of the repeater site at Genoa that the county and the school uses. He thought Mr. Stone might give the building to the county if the commissioners were willing to take over the electric bill, which runs about \$50 a month. Mr. Stroud will check with Mr. Stone to see if there are agreements that the county might have to take over. Mr. Burgess asked if he had any concerns with the building, and Mr. Stroud said he did not.

John Mohan stopped into the commissioners' room to tell them he wasn't impressed with the electricians completing the magnetic door lock installation in the Clerk's office, as he had several issues with the company when they did some electrical work at the annex. He added that he thought they were going to try and get local bids. Mrs. Lengel said that Mr. Hilferty had asked him for his opinion concerning the project, but Mr. Mohan had wanted nothing to do with it and that they also contacted Dryland Electric but never heard back from them. Mr. Stone told Mr. Mohan that they were only installing one lock in the Clerk's office at this time, but the commissioners would definitely request bids if all the other offices decided they wanted the door locks as well.

The Board discussed the rates at the county landfill due to the implementation of the new weight scales and agreed that they should continue to charge four times the local amount for all out-of-county and unsecured loads. Mr. Piper said he'd advertise in June, and the new rates would take effect on July 1.

Mr. Stone made a motion to accept the new landfill rates effective July 1, 2019. Mr. Burgess seconded the motion, which carried unanimously.

Mr. Stone asked the others if they'd heard anything from the public since the scales were put in at the landfill, but no one had. Mr. Piper provided the stats from the free landfill day, and Mr. Burgess commented that the county would have collected \$2,047 if they had charged for what patrons brought in that day.

The Board reviewed a resignation/thank you letter from CSU Extension Director Travis Taylor, and Mr. Stone said the job is now open to applicants.

Mr. Schifferns called for old business, and Mr. Burgess told him that District 2 did not grade the Bovina cemetery road as previously requested because it is a cow path through the pasture. He also spent \$250 at Ranchway Feeds in Fort Collins for a used traffic light for the landfill. New ones cost about \$400. The catwalk is in at the landfill and shouldn't take much in the way of installation since it is free-standing.

As for new business, Mr. Piper said that Mrs. Lengel asked for an increase to Andrea Hendricks's credit limit on her county credit card. Mrs. Hendricks attends election class the week of June 10 but also needed to register for the August conference where she and Mrs. Lengel will graduate with their CERA national election certification. Mrs. Lengel asked for a \$500 increase, but Mr. Burgess asked if that were enough. She told him that her chief deputy has a limit of \$2,500, so she didn't want Mrs. Hendricks' to be higher than that.

Mr. Burgess made a motion to increase Mindy Dutro's and Andrea Hendricks's credit limit to \$3,000 on their county credit cards. Mr. Stone seconded the motion, which carried unanimously.

Mr. Piper also received information on the Competitive Oil & Gas Lease Sale in June where Lincoln County has an interest.

Mr. Burgess asked Mrs. Lengel if the record indexing project were ever completed. Mrs. Lengel responded that she'd had recent conversations regarding the ERT grant money that's available and reminded the Board that she applied for and received \$36,000 in 2018. It will cost approximately another \$36,000 to complete the indexing of the remaining books, but since she didn't want to go over her budget, Mrs. Lengel felt it best to budget for the project in 2020 and then apply for the grant funding at the same time. That way, when the reimbursement came back into the General Fund, she wouldn't be out that money in her budget.

Mrs. Lengel also explained to the Board that they would see different reports when they approved the June payroll and Accounts Payable, as her office migrated entirely to the new accounting system this month. The commissioners also would no longer have to handle and sign payroll vouchers if they approved a spreadsheet created by her chief deputy. County Auditor Ronny Farmer agreed that vouchers were not necessary as long as there was proof of the expenditures and commissioner approval. The Board liked the new spreadsheet, and Mrs. Lengel said they hoped to get completely away from vouchers at some point but that it might take until the end of the year for staff to feel comfortable with that process.

The Board approved the May payroll and expense vouchers, and then Mr. Schifferns adjourned the meeting at 1:25 p.m.

Corinne M. Lengel, Clerk to the Board

Ed E. Schifferns, Chairman

Board of County Commissioners of Lincoln County
Agenda for May 31, 2019

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Public Hearing to act upon Colorado Prairie Arts & Music Council's special event permit for the concert taking place after the Ranch Rodeo
- 10:00 Patricia Phillips, Human Services Director, to present the Department of Human Services monthly report
- 10:30 Kevin Stansbury, Lincoln Community Hospital CEO, to provide a LCH monthly report
- 11:00 Jim Covington, Lincoln County Treasurer, to discuss the tax lien sale
1. Approve the minutes from the May 30, 2019 meeting
 2. Review and act upon a Memorandum of Understanding between Lincoln County and Xcel Energy Services Inc. concerning the Rush Creek II Wind Project
 3. Review and act upon a Road Use Agreement between Lincoln County and Trade Wind Energy
 4. County Commissioner reports
 5. County Attorney's report
 6. County Administrator's report
 7. Old business
 8. New business
 9. Approve additional payroll and expense vouchers if necessary

The Board of Lincoln County Commissioners met at 9:00 a.m. on May 31, 2019. The following attended: Chairman Ed E. Schifferns, Commissioners Steve Burgess and Doug Stone, County Administrator Jacob Piper, County Attorney Stan Kimble, and Clerk to the Board Corinne M. Lengel. Juliet Lundy with the Eastern Colorado Plainsman/Limon Leader attended until 11:00 a.m., and Haileigh Shull with Tradewind Energy, Inc. attended until 9:30 a.m.

Chairman Schifferns called the meeting to order and asked Mr. Burgess to lead the Pledge of Allegiance.

The commissioners asked Chief Deputy Assessor Renita Thelen to come and talk to them about tax valuations as they've fielded several questions regarding why property taxes went up so much. Mrs. Thelen explained that she has to be accountable to the state auditor, and if the valuations don't go up but stay stagnant, the state will eventually come out and redo the assessment. She added that, currently, the base price is \$90 per square foot on residential structures, when it could be as high as \$130. They had over one hundred sales in the area that they study, and some were as much as \$200 per square foot. Mrs. Thelen went on to say that it drives land sales, even though many people don't believe that their house is worth that much. However, if they were to sell, they might be surprised. Mr. Burgess said he'd like to see an article in the newspaper so that the public would have more information regarding their property taxes. Mrs. Thelen responded that the assessor did some posts on Facebook, but Mr. Burgess said that not all people use social media. She stated she'd let Mr. Higgins know when he was back in the office, adding that this is the last day of the protest period. They are required to perform re-assessments every two years, and overall, residential values went down in 2013. Mr. Schifferns asked what percentage rate taxes went up by in 2018, and Mrs. Thelen said they increased anywhere from 25%-to-45% depending on the location of the house. Before leaving, Mrs. Thelen encouraged the commissioners to tell people to call the assessor's office if they had questions concerning their taxes.

Mr. Burgess made a motion to approve the minutes from the meeting held on May 30, 2019, as submitted. Mr. Stone seconded the motion, which carried unanimously.

The Board reviewed a Memorandum of Understanding between Lincoln County and Xcel Energy Services, Inc. concerning the Rush Creek II Wind Project. Mr. Kimble shared the maps with the commissioners and said that Chris Monks approved them.

At 9:15 a.m., Land Use Administrator Fred Lundy stopped in with a development agreement for Mr. Kimble to review.

Mr. Burgess made a motion to approve the MOU between Lincoln County and Xcel Energy Services, Inc. concerning the Rush Creek II Wind Project. Mr. Stone seconded the motion, which carried unanimously.

Ms. Shull came to the table for the discussion regarding a Road Use Agreement between Lincoln County and Tradewind Energy, Inc. Mr. Kimble explained that the company approved a

Master Road Use Agreement, but when he and Chris Monks received the route map, it was different than what they'd discussed. Someone named Benjamin Branch had signed the agreement, so Mr. Kimble sent him an email asking if he had authority to do so. Mr. Branch confirmed he did, and Mr. Kimble said he'd kept the email.

Haileigh Shull stated that there was a miscommunication, and County Road 63 was not supposed to be highlighted on the map when they sent in the original. Mr. Kimble said that safety was the primary concern since many farmers use the road, and the project's scheduled start date put them right in the middle of harvest.

Mr. Stone made a motion to approve the Master Road Use Agreement between Lincoln County and Cheyenne Ridge Wind Project, LLC. Mr. Burgess seconded the motion, which carried unanimously.

Since Mr. Lundy returned at that time, Mr. Kimble asked him if he were satisfied with the agreement. Mr. Lundy asked if they had fulfilled all the requirements of the Land Use Board, and Mr. Kimble told him they had. Ms. Shull wondered whether the company needed to do anything further with the Special Use Permit, and Mr. Lundy said that the Development Agreement he'd handed to Mr. Kimble for him to review was theirs. Since the Land Use Board approved the permit with conditions, which they met, he saw no reason for the commissioners not to accept it once Mr. Kimble had a chance to look it over.

Mr. Burgess made a motion to approve the Development Permit agreement between Lincoln County and Tradewind Energy, Inc. upon approval by the County Attorney. Mr. Stone seconded the motion, which carried unanimously. Mr. Schifferns said he could sign the document on Monday unless Mr. Kimble found a problem with it.

At 9:30 a.m., the commissioners held a public hearing regarding the Special Events Permit application submitted by the Colorado Prairie Arts and Music Council. Amy Vice was the only member of the public to attend the hearing. Mr. Kimble asked if there were any problems or complaints voiced by anyone, but no one had heard anything. Mr. Stone made a motion to approve the Special Events Permit application submitted by the Colorado Prairie Arts and Music Council for a beer garden at the Ranch Rodeo. Mr. Burgess seconded the motion, which carried unanimously.

Mr. Schifferns called for commissioner reports, and Mr. Stone said he'd stopped by the Karval shop after the meeting on May 20. He checked roads north and northeast of Karval on May 24, and also looked at roads out west with Rick Ashcraft on May 28 after they got some rain. District 3 ordered a new mower, and it came in that same day. Mr. Stone attended the Economic Development meeting on the morning of May 29. They will start having quarterly meetings. He also went to Denver with Rick to look at a lowboy trailer. They traded a truck and another trailer for it and made \$400 on the trade.

Mr. Schifferns reported checking roads on May 22. The road crew got off early from the I-70 project on May 23 due to the holiday. On May 27, he took a complaint about County Road 2W and the lack of maintenance on it. Mr. Schifferns had a call on May 28 about a salesman who might be running a scam concerning politicians and government policies. He didn't notify the sheriff but commented that he should. Mr. Schifferns also attended the Economic Development meeting on May 29. He also talked to the sheriff about the issues he'd had with his patrol vehicles.

At 10:00 a.m., Robert Kraxberger met with the Board to give the monthly Department of Human Services report. The commissioners reviewed financial statements and employee timesheets, and the monthly Income Maintenance, Child Welfare, and director's reports. Mr. Kraxberger said that Mrs. Phillips turned in mitigation to the state for the over-expenditures in Child Welfare, but she hadn't heard anything back yet. The department would also overspend its Administration line item, but there are TANF reserves to help cover the overage. Mr. Schifferns asked Mr. Kraxberger for a list of commonly used DHS acronyms.

At 10:30 a.m., Lincoln Community Hospital CEO Kevin Stansbury met with the Board to give a monthly report. Their audit is almost complete and appears to be clean, cash significantly improved, and AP is less than half of what it was at the end of 2018. Receivables are up slightly, they collected approximately \$1.8 million in May, and Mr. Stansbury said he's feeling good about where they are. The bank offered to release the security on their loan; they will pay off the principal and waive any payments for the last four months of the year, which is when the hospital struggles the most with cash flow. CFO David Usher resigned, so the hospital will cover his position with interim CFOs from Lutz until they hire someone to replace him. Mr. Stansbury reported that they might decide to pull the mobile clinic from Bennett but added that they'd been invited to return to Karval with the understanding that residents must guarantee a certain number of patients each time the mobile clinic visited. Mr. Stansbury said he met with Senator Cory Gardner in April who asked them to prepare a white paper, which they did. They are also trying to stay visible to Congressman Buck who doesn't seem to like many of their ideas because it would take federal money to implement them. Mr. Stansbury said he wants the congressman to understand that investing now in the preservation of rural healthcare would save money in the future. Mr. Stansbury thanked Mr. Burgess for sending Steve Hodges with Titan LED Lighting Solutions to assess the hospital's lighting, and Mr. Burgess told him that George Ehlers said the county's electric bill decreased about two-and-a-half percent since Titan installed the new lights.

Mr. Stansbury discussed issues with billing between Medicare and Blue Cross/Blue Shield, stating that Medicare automatically moved people over to Medicare Advantage, which they then have to opt out of, unfortunately.

At 11:00 a.m., County Treasurer Jim Covington and Deputy LaRay Patton met with the Board to discuss the tax lien sale. Mr. Covington explained a situation that occurred several years ago regarding the issuance of a Treasurer's Deed in 2011. The owner then didn't pay the 2011 taxes, so the property went to tax sale again in 2012 to a different buyer. In 2016, the tenant of

the property asked to redeem the certificate, and after speaking with the county attorney, Mr. Covington allowed it since that person was the original owner of the property. Mrs. Patton put in that the situation occurred again, and now the original owner's son wants to redeem the tax lien sale certificate. Mr. Covington wanted to know if he set precedence by allowing a tenant to redeem the first time.

Mr. Kimble told him that state statute dictates that a person with a legal or equitable claim to the property can redeem, which Mr. Covington thought at the time he had. Mr. Kimble also studied case law as well as how other states handle the situation. Several states agree that tenants are individuals who have an equitable interest. He commented that Colorado isn't among those states, but he felt confident that there was enough justification for it to stand up in court. Mrs. Patton didn't believe the son had the right to redeem because he didn't live on the property. Mr. Kimble said an agent of the actual tenant could do it with a POA or something in writing.

Mr. Covington felt the cycle would continue unless they let the court decide the outcome.

Mrs. Patton said that the party they gave the Treasurer's Deed to in 2011 never claimed the document, although the clerk's office recorded it in the real estate records and the property now lists them as the owner. Mr. Schiffers asked how much the taxes were, and Mrs. Patton told him they are around \$600 a year.

Mr. Burgess agreed with Mr. Covington that they should let a judge determine the matter, and Mr. Kimble asked if the original owner/tenant had a signed agreement with the landowner allowing him to live there. If so, they would have to provide supporting documentation as well as prove they have a right to the property after this many years. Another question would be if the county would bring Quiet Title or a Declaratory Judgment, or if the tenant wanted to file an action that they adversely possessed the property, they could do that as well. They would have to prove they possessed the property for eighteen years. Mr. Kimble decided there was time to do a thorough investigation and stated he would look into the best way to handle it.

Mr. Covington stated that a resident asked him if the county would ever sell county-owned mineral rights back to the property owner. At one time, he said, the commissioners stated they would never let go of mineral rights owned by the county. Mr. Schiffers agreed, and Mr. Burgess asked Mr. Covington to find out how many acres it would be.

Discussion ensued regarding the magnetic door lock recently installed in the clerk's office, and Mr. Covington said he was under the impression that all departments were going to do it at once. Mrs. Lengel explained that she had permission from the Board to go ahead with one door to see if it was something everyone wanted to do before they spent a lot of money on it. Mr. Covington said he has always believed in an open-door policy, but for the safety of his staff, he conceded to getting one of the locks. He added that he would like to have an automatic door opener for disabled patrons if he closed his door. Mrs. Lengel said she had to have one put in because her office is a polling location and the Help America Vote Act required ADA

compliance. At the time, the device and installation were around \$2,500, which they paid for with federal funds.

Mr. Burgess gave his commissioner report, stating he dropped the John Deere Gator off at Parmer's for some repair work after the meeting on May 20. He went to Denver for parts on May 21 and looked at pipes on County Road 29 north of County Road 3T on May 22. The state inspected them and gave the county ninety days to repair them. The culverts suffered damage to the ends from trees, brush, and debris that piled up and plugged the openings. Mr. Burgess contacted McCormick Excavation about getting a piece of his equipment to remove the debris, which they will try to do the first part of June. He had Chris Monks order four eight foot pipes and bands to fix the problem. Mr. Burgess also operated the loader so that Bruce Walters could check roads that day. On May 23, Mr. Burgess got a bid for a "handy hitch," which was \$18,898. They are still working on possibly trading in a snowplow. He also ran the loader in Genoa that Thursday and had a meeting with Cathy Shull on Building a Better Colorado. They want people to get involved with putting items such as the Gallagher Amendment, taxes, and road issues on the ballot. Mr. Burgess reported checking roads north of Genoa and Arriba on May 24. They had over three inches of rain in some areas that caused minor road damage. He looked at the milling piles in Flagler, Arriba, and Genoa and determined they would have a lot of loads to haul to various yards and other locations. On May 28, the road crew patched County Road 4C east of County Road 109. He also purchased the landfill stoplight that day. On May 29, Mr. Burgess met with Mark McMullen with American Environmental Consulting, LLC and Jennifer Reynolds at the landfill. Ms. Reynolds was impressed with how clean and neat the area is and had some financial questions about closing costs. Mr. Burgess had her call Mr. Piper, and they discussed various reports that she needed. Mr. McMullen will try and get a variance so that the county can use shingles for daily cover instead of dirt, and he will also set up onsite training for the employees since it is a requirement. Mr. Burgess also had a call about a muddy driveway, so he and Mr. Walters looked at it and decided they would put some material on it when it dried up. He attended the Economic Development meeting in Hugo with James Ditmore and others to see how to promote the communities and attract development. On May 30, Mr. Burgess talked with a resident about accessing his property to remove the trees, brush, and debris, and the party had no problem with the county being on his land. Mr. Burgess picked up the John Deere Gator and took it to the landfill so they could test it. Mick Jaques and Allen Chubbuck installed the catwalk on the scale. Lastly, Mr. Burgess said he spoke with Tom Lee and Travis Taylor earlier this morning.

Mr. Piper stated that if the closing cost are more than 43% of total revenue then the county would have to put up bonds or obtain insurance, but Mr. Farmer didn't believe they would be that high. There is a requirement to complete a financial assurance assessment every five years with a yearly update for inflation. The last time the county completed one was in 2012. Mr. Piper said that Roxie Devers was working on one when she retired but never got it finished, and after that, it simply fell through the cracks. Mark McMullen will work on it and let him know what the county's next step should be, but they should finish the report and submit it as soon as possible.

Mr. Kimble reported that he spoke with the bond attorney, Lisa Mayers, about Karval Water Users being a component unit of the county instead of a fund so that they could keep their independence as a non-profit organization and limit the county's liability in their water project. Ms. Mayers's fee is \$425 per hour and she said she would send Mr. Kimble an opinion. He asked that she not charge more than two hours if possible. He also left a message for Beth Fox but hadn't heard back from her yet.

Mr. Stone said that Patrick Leonard felt there was no hurry since they had the media replacement project approved, but he still didn't understand why they would need to dig a second well if it weren't required.

Mr. Kimble also reported that there was no settlement at the mediation meeting regarding the land dispute between two parties on the northern end of the county. One party filed a motion to have the court determine what the 1885 Order actually means; whether or not every section line has to be a public highway. Mr. Kimble said the order was merely a guide to help counties establish their road system by determining where to locate them. The law was repealed in 1953. He added that he needed to respond by mid-June and could probably get a continuance.

Mr. Piper gave an update on the radioactive material discovered in a few pieces of pipe at the landfill, and once they approve the application, they will send their recommendation of who is qualified to remove the material and when and where to take it.

Mr. Burgess made a motion to terminate Katie Zipperer's county credit card due to multiple occurrences of late fees, interest charges, and overdraft fees, effective June 16, 2019. Mr. Stone seconded the motion, which carried unanimously. Mr. Piper will send Mrs. Zipperer a letter with instructions.

Mr. Burgess said he hadn't had a chance to talk to Travis Miller yet about putting some posts at the front of the courthouse to protect the building and personnel from intentional or accidental injury by a vehicle.

There was no business, so the Board approved a few additional expense vouchers, and then Mr. Schiffers adjourned the meeting at 1:15 p.m.

Corinne M. Lengel, Clerk to the Board

Ed E. Schiffers, Chairman