

Board of County Commissioners of Lincoln County
Agenda for April 18, 2022

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Executive Session pursuant to C.R.S. §24-6-402(4)(f)(I) for personnel matters regarding the conducting of interviews for the Land Use Administrator position
- 1:00 Kevin Stansbury, Lincoln Community Hospital CEO, to provide an LCH monthly report
- 1:30 Jamie Giellis with Centro, Inc. to provide updates on grant funding
- 2:00 Meet with Aaron Mills with TLM Construction to inspect a bridge on Highway 109

-To be completed as time permits-

1. Approve the minutes from the April 6, 2022, meeting
2. Review the March 2022 reports from the County Assessor, County Clerk & Recorder, County Sheriff, County Treasurer, and Public Trustee
3. Review the March 2022 Statement of Revenues and Expenditures for County General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, Human Services, Road & Bridge and Individual Road Districts
4. Review the March 2022 reports from the Colorado Counties Casualty and Property Pool and Workers' Compensation Pool
5. Review and act upon an employee credit card request for Dale Rostron
6. Review and act upon an employee credit card request for Jesus Ortiz-Marrufo
7. Review and act upon a Lincoln County Landfill Charge Account application for Misty Rae Ardon
8. County Commissioner reports
9. County Administrator's report
10. Old Business
11. New Business

The Board of Lincoln County Commissioners met at 9:00 a.m. on April 18, 2022. Chairman Doug Stone, Commissioners Ed E. Schifferns and Steve Burgess, County Administrator Jacob Piper, and Clerk of the Board Corinne M. Lengel attended. County Attorney Stan Kimble attended from 1:10 to 1:35 p.m., and Stephanie Zwick with the Limon Leader/Eastern Colorado Plainsman attended from 9:00 to 9:20 a.m. and 1:00 to 2:20 p.m.

Sheriff Tom Nestor, Jail Captain Michael Yowell, and Emergency Manager Ken Stroud were in the audience when Chairman Stone called the meeting to order and asked Mr. Piper to lead the Pledge of Allegiance. The sheriff wanted it on record that they had attempted to test the Karval tornado siren on Friday, but nothing worked. Upon further investigation, they learned that Karval School Superintendent Sarah Nuss and her husband, Adam, removed the repeaters when they put up the new scoreboards. Mrs. Nuss was going to try and determine what happened to them. Without the repeaters, someone would have to turn the siren on manually, so Sheriff Nestor said they were working with the fire department to set up a plan in case they couldn't locate the repeaters. He also felt that if Mrs. Nuss found them, it would be an excellent opportunity to relocate them. The sheriff was sure they'd been gone for at least a month and asked Mr. Stone if the Road & Bridge crew had mentioned any problems with their radios. Mr. Stone said no one had said anything. In a worst-case scenario, replacing the repeaters would cost \$6,000 to \$7,000, which didn't include programming and installation.

Mr. Burgess didn't believe they had a choice; they would have to replace the repeaters and asked how long it might take to get new ones. Sheriff Nestor said it would take a minimum of two months, which wouldn't be in time for the beginning of tornado season.

Ken Stroud said he'd talked to Patrick Leonard about workarounds and possibly using the tower at County Road 2T for notifications. The sheriff asked if the commissioners would let them use a road crew member, but Mr. Stone told him that none of them lived in town anymore. Mr. Stroud said it wouldn't take much to train someone on which buttons to push. Sheriff Nestor commented that the repeaters would still have their programming intact if they found them, so it would only be a matter of reinstalling them somewhere. Mr. Burgess asked if there was an old repeater they could use until they got a new one, but the officers and Mr. Stroud said they were all in use. Captain Yowell said they'd let the commissioners know as soon as they heard from Mrs. Nuss.

The group left, and Mr. Burgess moved to approve the minutes from the meeting held on April 6, 2022, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

At 9:30 a.m., Mr. Burgess moved to go into executive session, per 24-6-402 (4) (f) (I), C.R.S., for personnel matters: conducting interviews for the Land Use Administrator position. Mr. Schifferns seconded the motion, which carried unanimously. In addition to the three commissioners, those attending the session were Mr. Piper and Mrs. Lengel and the individual applicants. Mrs. Lengel recorded the executive session and will store the recording in the County Clerk's vault for the statutory ninety days. Since the scheduled interview times were

every thirty minutes, the Board instructed Mrs. Lengel to pause the recorder after each interview so they could carry on other business in between.

The Board interviewed the first applicant from 9:30 to 9:45 a.m. and then reviewed the March 2022 reports from the Assessor, Clerk & Recorder, Sheriff, Treasurer, and the Public Trustee's fourth-quarter report from 2021.

The second applicant's interview went from 10:00 a.m. to 10:20 a.m. Then, the commissioners reviewed the March 2022 Statements of Revenues and Expenditures for the General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, Human Services, and Road & Bridge funds and the individual road districts.

While they reviewed the March 2022 Colorado Counties Casualty and Property and Workers' Compensation Pool reports, Mr. Piper informed the commissioners there had been one new workers' comp claim for a sheriff's deputy.

Mr. Burgess moved to approve a county credit card with a \$2,000 limit for Jail Corporal Dale Rostron. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Schifferns then moved to approve a county credit card with a \$2,000 limit for Jail Corporal Jesus Ortiz-Marrufo. Mr. Burgess seconded the motion, which carried unanimously.

The group discussed a request from Misty Rae Ardon to charge at the landfill, but no one knew who she was or why she wanted a charge account. Mr. Piper called Allen Chubbuck and Brenda Howe at the landfill, but neither knew Ms. Ardon. Ms. Howe remembered a young man coming in who worked to help Dale Cochran clean up his rental sites and thought they might be the ones applying. She offered to find out more information and let the commissioners know.

The third Land Use Administrator interview lasted from 10:30 a.m. to 10:35 a.m.

Mr. Burgess reported talking to Bruce Walters on April 7 about some bills the county paid on April 6. Mr. Walters had four trucks hauling gravel and a dozer and loader working at the Gaede pit. Mr. Burgess went to Hugo and took pictures of the bridge over the Big Sandy Creek on County Hwy 109 south of the courthouse. He shared the photos and information from Scott Huson, with CDOT's Staff Bridge Branch, with the group. Mr. Huson noted corrosion and damage to the corrugated steel deck planks. To combat further deterioration, he recommended removing that section of asphalt, spraying the steel with a protective paint coating, placing concrete or flow-fill inside the flute, and then covering it with a minimum of two-to-three inches of asphalt patching (HMA). He also felt they should use the protective paint on the girders where the paint had failed. Mr. Huson's email stated the corrosion didn't appear extensive enough to trigger an essential repair letter, but it would eventually if the county didn't take action.

Mr. Burgess attended the hospital board meeting that night and signed the letter of support to Senator Hickenlooper for the new hospital. He signed a letter to Senator Michael Bennet on April 8 and took it to the hospital. Mr. Burgess spoke with Bruce Walters on April 11. They were taking two Chevy pickups to Burlington for warranty work. The road crewmen were grading roads and hauling gravel. Mr. Burgess talked to Dana with GMS, who had spoken with Kari Linker about funding for the Karval water project. She felt that federal funds weren't a good match at this time and that pursuing other funding opportunities was a better fit. Mr. Burgess rode in the new Mack truck on April 12. He also received word from CDOT Staff Bridge about how to repair the bridge on Big Sandy Creek and let Chris Monks know. Mr. Monks said he'd contact TLM Construction in Swink and see if they wanted to look at the structure. Mr. Burgess attended the Mental Health Stress Management Zoom meeting. On April 13, Mr. Burgess and Mr. Walters looked at roads and culvert pipes they needed to either dig out or replace. He also stopped at the command center in Limon and talked to the sheriff, and then spoke with Casey Love, who called with questions about gravel pits. Mr. Burgess checked roads on his way back from a Centennial Mental Health meeting in Fort Morgan on April 14. Before the meeting this morning, he stopped at the public health office and picked up two boxes of COVID rapid tests that he brought to the courthouse.

Mr. Schifferns reported talking to the sheriff about the Karval tornado siren on April 8. He checked the gravel on the roads on April 11 and commented the wind was making it impossible to keep it there. He also looked at the bridge over Big Sandy Creek. Mr. Schifferns talked to Chris Monks about the bridge and the blowing sand on April 12. There was a Red Flag warning on April 13 because of the high winds. The Arriba town clerk asked if the county would allow them to have their own free landfill day, and Mr. Stone asked why they couldn't use the countywide day. Mr. Burgess said they'd done it for Limon the previous year but that Limon provided their own dumpsters, and they had to sort the trash before taking it to the landfill. Both Mr. Stone and Mr. Burgess said they didn't want to allow each town to have a free day. Mr. Piper commented that he thought they did it for Limon because the alternate date was on the same day as Limon's high school graduation. Mr. Schifferns checked roads on April 14 and attended the Arriba Fire Department fundraiser on April 16.

Mr. Stone reported receiving a call from Sheriff Nestor on April 6. A state sign blew down on State Road 71, but the road crew fixed it. It was windy on April 7, so they worked on signs and changed the oil in the loader. Mr. Stone received an email from the sheriff about the Karval siren on April 8, and on the Tenth, CAT came out and fixed their road grader. Mr. Stone felt the company must be pretty far behind schedule to work on Sunday. The road crew graded and hauled gravel on April 11, and Mr. Stone brought their equipment usage and timesheets to Hugo. He also picked up some signs. On April 12, Mr. Stone received a report of a fire at Truckton. Again, the wind was terrible, but they got the fire out without incident. Mr. Stone checked roads. He stopped by the shop on April 13 and 14 and got his DOT physical at the mobile clinic in Karval to renew his CDL.

At the last meeting, the commissioners discussed getting rid of excess furniture compiled from the county offices, and Mr. Piper said he'd found out the Hugo town-wide yard sale wasn't until

Labor Day weekend in September. He asked if the commissioners wanted to wait that long, and they agreed there would probably be better participation that way. Mr. Piper wanted to know who would volunteer to work the sale on the weekend, and the commissioners said they could do it.

Mr. Piper asked if the commissioners wanted to pay Casey Love additional wages for the land use work she'd done and would continue to do this month, and they agreed. Mr. Piper added that Mrs. Love had discovered several landowner gravel permit leases expired in 2019 and 2020 and a handful this February.

Mr. Burgess noted that the janitor took a few days off the previous week, but somehow wires got crossed between her and the maintenance man, and no one dumped the trash. He asked if the county needed to adopt a leave request form so that employees asked for time off well in advance. Mr. Piper said he had a department-specific form for the janitor and maintenance man, so he didn't think it was necessary. He added that he should have made sure Mr. Mohan knew that Ms. Ludwig planned to be gone and would do so in the future.

The Board interviewed the remaining two applicants from 10:55 a.m. to 11:10 a.m. and from 11:20 a.m. to 11:30 a.m. The group then came out of the executive session at 11:45 a.m.

Mr. Burgess moved to offer the Land Use Administrator position to Wyatt Vick at \$3,718 per month, contingent upon his passing the UBC Code test by December 31, 2022. Mr. Schiffers seconded the motion, which carried unanimously.

Mr. Piper called Mr. Vick to let him know the Board's decision and asked if he could start on May 1. Mr. Vick was in a meeting and asked if he could call back.

Mrs. Lengel said she'd received a call from Stuart Knight, an attorney representing Jeff Sveinsson. Mr. Burgess had talked to him as well. Mrs. Lengel reminded the group that Mr. Sveinsson had asked about marijuana cultivation in the early part of 2021. The commissioners told him the county had an ordinance prohibiting the operation of marijuana cultivation, product manufacturing, testing facilities, or retail marijuana stores within the unincorporated boundaries of Lincoln County. Thus, he would have to provide an informal petition from landowners who wanted the ordinance overturned before considering a ballot question. Mr. Knight had recently contacted Mrs. Lengel to bring the subject forward again, as they had to place it on the ballot in the even-year general election. Mr. Piper said Mr. Knight had scheduled a time to meet with the commissioners via Zoom at their next meeting. If the commissioners still wanted Mr. Sveinsson to gather signatures from neighbors, Mrs. Lengel said they should determine an adequate number because it wouldn't be a legal or formal petition, which was what Mr. Knight seemed to think. The group could not go the route of a citizen-initiated petition; the commissioners were the only ones who could put the question on the ballot, at least according to Title 1 election law.

Wyatt Vick called back at 11:55 a.m. and apologized, saying that he wouldn't be able to accept the Land Use Administrator position at the wage offered. He thanked the commissioners for considering him.

Mr. Burgess moved to offer the Land Use Administrator position to Ty Stogsdill at \$3,718 per month, contingent upon his passing the UBC Code test by December 31, 2022. Mr. Schiffers seconded the motion, which carried unanimously.

Mr. Piper called Mr. Stogsdill to offer him the job but had to leave a message.

At 1:00 p.m., Lincoln Health CEO Kevin Stansbury met with the Board to give a monthly report. Chris Fox with RPI also arrived at that time. Mr. Stansbury provided the financial reports, stating they found an error during the audit prep and identified \$450,000 in 2021 charges that they logged incorrectly to 2022. They also received additional invoices for 2021 services after closing the December books. They had to accrue the amounts to December 2021 and reverse them from January 2022 for the audit and proper accounting, drastically changing the financial statements for those two periods. Mr. Stansbury said it made January show a significant loss of \$522,000, but February was an excellent month, reflecting a \$430,000 net income. He also said they'd been spending much of their time on the Generation Project, which they named the new hospital project.

County Attorney Stan Kimble arrived at approximately 1:10 p.m. while Mr. Stansbury explained he'd received the deed for Lady Bird Park but had forgotten to bring it with him.

Mr. Stansbury left, and Mr. Burgess asked Mrs. Lengel to repeat what she'd told them about putting a marijuana question on the ballot so that Mr. Kimble could hear it. Mrs. Lengel complied, and Mr. Kimble said he remembered the discussion and would find his notes, as he thought the marijuana law might be different than Title 1, which was the law county clerks follow when overseeing elections.

Economic Development Corporation Director Troy McCue arrived at 1:15 p.m. Mr. Kimble needed to update the commissioners on the following week's trial but said it should probably be in executive session since the discussion fell under legal matters and consulting with an attorney. However, Mr. McCue, Mr. Fox, and Mrs. Zwick stepped out, so Mr. Kimble felt he could speak freely without the session. He left the meeting as soon as he finished his update.

At 1:30 p.m., Jamie Giellis, with Centro, Inc., Chandler Romeo with Friends of the Genoa Tower, and Roxie Devers, with Roundhouse Preservation, Inc., joined the meeting via Zoom.

First, Ms. Giellis provided funding updates for the Tower's \$3.5 million renovations. They received a \$1.5 million matching grant, secured from Colorado Community Revitalization, a \$500k Congressionally Directed Spending request for water/sewer connections, \$88k from the Colorado Energy Office for EV charging stations (which doesn't cover the cost for upgraded electrical), and \$200k in private funding. Even so, there is a \$1.2 million funding gap. As for the

roundhouse, Ms. Giellis said she'd submitted the request to Senators Hickenlooper and Bennet's offices and talked with Kari Linker. There is still a \$1.9 million funding gap for the roundhouse.

In addressing the gaps, Ms. Giellis outlined the in-progress funding requests. They were pre-approved to submit a DOLA Rural Economic Development Initiative (REDI) grant for upgraded electricity to the site and to support the EV charging stations, likely \$50,000. The Friends of the Genoa Tower were also pre-approved to submit a \$50k planning grant through the State Historical Fund for construction drawings of the main tower building. They are currently talking to the Gates Family Foundation, which typically funds \$50k but might do more.

The next steps for the roundhouse are to revive the Enterprise Zone designation and submit a pre-application for a Community Revitalization grant. In September and October, Ms. Giellis said they could apply for a DOLA Energy Impact Assistance grant for up to \$750k with a twenty-five percent match and a State Historical Fund Renovation grant with a twenty-five percent match. They would need to carve out a portion of the project estimating \$250-\$300k, possibly for the museum. State Community Development Block Grant (CDBG) funding applications could wait until February 2023. Ms. Giellis also suggested Brownsfield and IIIJ Act money and applying to foundations whose funding explicitly fits within the roundhouse spectrum.

Ms. Giellis asked if the commissioners would be willing to partner with the Friends of the Genoa Tower, Inc., to apply for the DOLA REDI grant to support electrical upgrades for the tower and EV charging stations. Mr. Piper told her the county was already a pass-through agent for The Garage and asked if it could do it for more than one entity. Ms. Giellis offered to speak with Greg Etl at DOLA again; however, he hadn't seemed concerned when she'd spoken to him about it before.

Mr. Burgess moved to have the county be a partner applicant with the Friends of the Genoa Tower, Inc., to apply for the DOLA REDI grant to support electrical upgrades for the tower and EV charging stations. Mr. Schiffers seconded the motion, which carried unanimously.

Mr. Piper asked Ms. Giellis to ensure the county could be the pass-through to both agencies and how best to track the funds.

Ms. Giellis asked the commissioners if they wanted to reactivate the roundhouse as an Enterprise Zone Contribution Project, and Mr. Burgess said participation was the issue with doing so. He added that it would be best if RPI could take care of it.

RPI's fish fry came up, and Chris Fox said it wasn't a significant money-maker; however, Roxie Devers disagreed and said it had always been their biggest fundraising event because numerous people gave donations. They sometimes made several thousand dollars. Ms. Giellis said it would likely meet the Enterprise Zone annual requirement of five contributions from five individuals totaling \$500 annually. Otherwise, one company could donate a large amount, also meeting the requirement.

Mr. Burgess asked Ms. Giellis to contact Candace Payne with COG, but Ms. Giellis said she'd talked to her earlier in the day. Ms. Payne told her they would love to have the roundhouse back on as a contributing project.

Ms. Giellis asked about the Colorado Community Revitalization grant pre-application, and the commissioners agreed she should apply. They also asked her to set up meetings with DOLA and the State Historical Fund regarding their respective grant opportunities. Chris Fox said when DOLA came out for the roundhouse tour, they mentioned that they were interested in funding the project and planned to come back. Ms. Giellis asked who Mr. Fox had talked to, but he didn't remember and said he'd get her the contact information.

As for the Brownsfield designation, Ms. Giellis asked Mrs. Devers if she remembered anyone doing a Phase 1 or Phase 2 environmental study. Mrs. Devers said they'd waived the requirements but recalled finding asbestos in the smokejacks, which was properly removed and disposed of, and they located the fuel tanks. Ms. Giellis said she'd be interested in talking with the EPA because their multi-use program might benefit the project. If they could designate the roundhouse as a Brownsfield site, it would also help with the exterior landscaping later on. Ms. Giellis added it wasn't a complicated application and asked if the commissioners were open to discussing it with the EPA.

Mr. McCue spoke up to say that from his experience with Brownsfield designations, it wouldn't hurt the county to have that conversation. Mr. Burgess said he remembered that the only way the Union Pacific Railroad would sell the property to the county was if the county took all responsibility for what was in and under the structure. Mrs. Devers said it was correct that UP hadn't wanted to claim any responsibility for soil contamination, and they had decided that it was best to leave the fuel tanks alone.

Ms. Giellis said that all funding sources would require its completion if any environmental work were necessary. She added that the EPA would pay for any remediation if the site received the Brownsfield designation.

Mr. Burgess moved to allow Ms. Giellis to move forward with obtaining the Brownsfield designation for the Hugo Union Pacific Railroad Roundhouse. Mr. Schifferns seconded the motion, which carried unanimously.

Ms. Giellis said there was a lot of money floating around relating to energy efficiency and solar energy and wanted to know if solar panels were an option at the roundhouse or if the group wanted her to look into it. She added that the State Historical Preservation Society had started working with the Governor's Energy Office to see if it were possible. The group agreed to table further discussion on solar energy.

Lastly, Ms. Giellis asked if the commissioners would be willing to donate the abandoned highway near the Genoa Tower to the Friends of the Genoa Tower, Inc. The organization would clean up the road, maintain it, and use it for pedestrian access. They could potentially

reimagine it as a camping area surrounding the Tower in the future. Mr. Burgess said they would have to determine if Lincoln County owned the property, but he knew Road & Bridge crews didn't currently maintain the road. He felt there was no problem with donating the property as long as it belonged to the county. He offered to check with the Assessor's office to find out.

There were no other questions or comments regarding Ms. Giellis' presentation, so Mr. Piper ended the Zoom call, and Mr. McCue and Mr. Fox left as Brenda Howe came in. She wanted to let the commissioners know she'd determined the landfill charge account previously thought to be for Misty Rae Ardon was actually for a property management company called Good Ole' Boyz. Mr. Piper asked if they should resubmit the application in the proper name, and the Board agreed.

The commissioners left at 2:25 p.m. to meet Aaron Mills with TLM Construction to inspect the bridge on County Road 109 south of the courthouse.

When they returned at 3:20 p.m., Mr. Piper told the commissioners he'd heard from the sheriff, who told him Sarah Nuss located the Karval repeaters in the school's bus barn.

Mr. Burgess said that Chris Monks had also been with them for the bridge inspection. He explained that Aaron Mills suggested temporary fixes in four or five places to get them by until he could submit a bid for permanent repairs. Mr. Mills thought his company could start the project in about two weeks, and the commissioners told him the county would provide traffic control. Mr. Stone asked if they could apply for the infrastructure funding. Mr. Piper said he would look into it as Kari Linker recently sent an email outlining several funding opportunities.

The commissioners discussed fixing the road to the fairgrounds, and Mr. Stone said they'd budgeted for the repairs since the county owns the east half. The town owns the west half and installed curb and gutter, so Mr. Stone felt it was only fair for the county to make the road repairs.

Mr. Piper informed the Board he'd added the \$60,000 they'd allocated for the roundhouse to the revenue replacement total before submitting the paperwork for the ARP funds.

Mrs. Lengel said she'd left another message for Brad Olsen about the Voter Service and Polling Center addition to her office but hadn't heard anything from him. Mr. Burgess called from the commissioner room and left another message for Mr. Olsen.

With no further business to come before the Board, Mr. Stone adjourned the meeting at 3:35 p.m. The next meeting will be at 9:00 a.m. on April 28, 2022.

Corinne M. Lengel, Clerk to the Board

Doug Stone, Chairman