

Board of County Commissioners of Lincoln County
Agenda for April 27, 2023

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Chase Whitney with Triple Oak Power, to introduce a renewable energy project
- 10:30 Ken Stroud, Emergency Management Director, to present a monthly report
- 11:00 Travis Miller with RockSol Consulting Group, Inc. to discuss the bridge project on South Highway 109

-To be completed as time permits-

1. Approve the minutes from the April 18, 2023, meeting
2. Review and act upon a contract between James Martin with Evergreen Systems & Technology, and Lincoln County for information technology services and website design management
3. Review and act upon a letter regarding decorating the Roundhouse
4. Review an estimate from Valcore Roofing regarding repairs to the roof of the Lincoln County Courthouse
5. County Commissioner reports
6. County Attorney's report
7. County Administrator's report
8. Old Business
9. New Business
10. Approve Payroll

The Board of Lincoln County Commissioners met at 9:00 a.m. on April 27, 2023. Chairman Doug Stone, Commissioners Steve Burgess and Wayne Ewing, County Administrator Jacob Piper, County Attorney Stan Kimble, Clerk of the Board Corinne M. Lengel, and Limon Leader reporter Stephanie Zwick attended.

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

Mr. Stone said he'd asked Mrs. Lengel to correct "John Palmer" to "John Mohan" in the part of his report concerning the annex building keys in the April 18 minutes, which she'd done. Mr. Ewing moved to approve the minutes from the April 18, 2023, meeting, as corrected. Mr. Burgess seconded the motion, which carried unanimously.

Mr. Piper provided the portion of the March Treasurer's report not included at the previous meeting, which the Board reviewed.

James Martin with Evergreen Systems & Technology had asked the commissioners to extend his current contract to August 2023, as he'd like to address some changes during the 2024 budget meetings. Mr. Burgess felt it would be better to extend the contract to the end of the year to coincide with the county's budget cycle. He moved to extend the Evergreen Systems & Technology contract for information technology services and website design management to December 31, 2023. Mr. Ewing seconded the motion, which carried unanimously.

Andrew Pellett with Pellett Carpentry and Finishing stopped by the meeting at 9:10 a.m. The group discussed remodeling the jury assembly restrooms to meet ADA requirements and possible grant funding to pay for the project. Mr. Piper said the county could apply for the grant in September and present their case in November, with grant awards occurring in January 2024. He asked the commissioners if they wanted to get the estimate ahead of time, which would help with the application. Mr. Pellett said prices fluctuated too much for a contractor to submit a bid that far in advance. He wanted to know if they planned to remodel everything, including flooring, or if they thought it would just be the doors. Mr. Stone felt it would be a significant renovation, and Mr. Pellett said it would take approximately five-to-seven days to complete each room. Mr. Piper noted the grant sounded promising.

Mr. Pellett addressed the election security room, stating the countertops should arrive by May 1. He had more cabinets to build but thought he should finish the project by mid-month. Mr. Pellett asked if the county could pay him \$17,535 to send to A & A Glass, who completed its work three weeks early. He'd initially included that reimbursement in his final payment from the county, but Mr. Pellett didn't want the glass installers to add late fees or interest and feared waiting to pay them for that reason.

Mr. Kimble asked Mr. Pellett if A & A Glass would give him a waiver after he remitted the payment, and Mr. Pellett said they would do that and remove the sales tax once they got a hard

copy of the county's tax exempt form. The amount he'd quoted (\$17,535) was without sales tax. Mr. Kimble also said the county would have to make a publication before the final payment.

Mr. Pellett said he'd paid Dave Dobbs for the cabinet material but still owed the electricians about \$5,200 since the Change Order. He and Mrs. Lengel also decided there needed to be another light installed in the election room.

The Board agreed to pay Mr. Pellett approximately \$17,535 to reimburse the glass installers, and Mr. Burgess told him to send Mr. Piper the invoice. However, since Mrs. Lengel had received the other invoices, Mr. Piper said Mr. Pellett could also send this one to her.

Mr. Pellett left, and Land Use Administrator Ty Stogsdill arrived shortly after Chase Whitney with Triple Oak Power. Without going into too much detail, Mr. Whitney said they'd collected wind data in the Karval area for the past two years and were in the initial stages of initiating easements with landowners. Mr. Kimble noted the commissioners would serve in a quasi-judicial capacity if Mr. Whitney filed a development application and cautioned him that too much involvement might cause disqualification. Mr. Whitney said he understood, and if negotiations didn't work out with Colorado Springs Utilities, expected to file an RFP in June or July, they would open it up to others.

Economic Development Director Troy McCue arrived at 9:30, as Mr. Whitney explained that Encap Investments was the parent company of Triple Oak Powers, a portfolio company based in Portland, Oregon.

Mr. Kimble asked if they would tie into an existing transmission line or plan on building their own, and Mr. Whitney said they'd filed an interconnection request at Williams Creek Substation. While Xcel Energy's Power Pathway was significant for facilitating wind as far as Prowers and Baca counties, the 230kV Switching Station at Williams Creek would provide less competition. They were also up against several aviation constraints, so Mr. Whitney warned that the commissioners might never see him again. He noted that the proposed turbines were much larger and taller than older ones, with one hundred sixty meter rotors on one hundred twenty meter towers, which converted to approximately 680'. Mr. Kimble asked if the lifespan was longer on bigger wind towers, and Mr. Whitney told him they would last at least thirty years compared to the twenty or twenty-five years of previous towers. When asked what the target operational date was, Mr. Whitney said late 2025 was probably optimistic. He thanked the Board and left.

Mr. Burgess said he'd checked with Mr. Stogsdill to see when he could retake his ICC test. Mr. Stogsdill said he'd called again that morning, and the B1 building inspector residential exam was only available online. He'd had the proctors run a system check on his work laptop the last time he tried to take the test, and they'd told him it was fine, as had James Martin. Mr. Stogsdill said he'd try again on Sunday.

Mr. Stogsdill brought up adopting the latest (2018) building codes, saying they would have to do so by the end of June. He planned to discuss it with Town of Limon building inspector Kenny Davis and Hugo Town Manager Maria Nestor. Mr. Kimble said the towns were amending their codes and would have to present their ordinances and publish the information twice before adopting. He felt the county's adoption would require only one publication before the public hearing, but the commissioners would need to adopt a resolution for the public's view. Since they were not changing the area the codes encompassed, only upgrading from 2006 to 2018, the request would not have to go before the Land Use Board. Mr. Kimble added that using emergency language would avoid the requirement for a publication thirty days after adoption.

Emergency Manager Ken Stroud arrived at 10:15 a.m.

Mr. Stogsdill mentioned a letter from landowner Ed Waite, and Mr. Kimble asked him to take pictures of the property.

Troy McCue left at 10:30 a.m., and Mr. Burgess asked Mr. Stroud for an update on the light plant. Although it was still at Wagner Rents, Mr. Stroud said they were assessing the auto functionality as a next step and told him they were making progress. Mr. Burgess suggested finding out the trade-in value.

Mr. Stroud's monthly report also included his numerous meetings, collaborations with several agencies, information regarding a virtual weather-spotter class, and discussions of a possible EMS Council training exercise. Before he left, Mr. Stroud noted the county still had Stage 2 fire bans in place.

At 11:00 a.m., Travis Miller and Derek Adams from RockSol Consulting Group, Inc., met with the Board to discuss the bridge project on County Road 109 south of the courthouse. Mr. Miller said he'd talked to Bryce Reeves, the local agency coordinator for Region IV, and suggested the commissioners speak with him about funding opportunities. Mr. Miller provided three options for replacing the bridge decking. Option 1 would be for RockSol to design the project meeting CDOT requirements, allowing the county to submit its grant application as a "final design." It would provide the best chance of getting the off-system bridge funds; however, the design costs were not reimbursable. Option 2 would have RockSol designing the project to 30% plans so the county could apply as a "preliminary design." In that instance, the remaining design fees were eligible for reimbursement, but they must still follow CDOT's processes. The problems with that option were that the county would have to put out a request for a proposal for the remaining design process, it would decrease the chance of receiving off-system bridge funds, and it would move the construction project further out in time. Lastly, Mr. Miller said that Option 3 would have the county apply as "no design," which would make the design costs reimbursable but would still require an RFP, lower the chances of getting off-system bridge funds, and move the construction project further out.

Mr. Stone asked how much design was involved if all they had to do was take the deck off and put it back on. Mr. Adams responded that leaving the joints open reduced the long-term

durability. Replacing the deck with reinforced material would increase the lifespan by fifty years or more, but the design portion was in making the girders continuous. They would also have to bring the railing up to standard and adhere to all requirements if the county applied for and received state or federal funding.

Mr. Burgess said he'd received information from Ports-to-Plains earlier that referred to the availability of \$1.7 billion, but applications were due by July 10. Mr. Miller referred to their previous project cost estimate of \$3.5 million and said it would remain reasonable.

Mr. Stone wanted to know their best guess of how long the bridge would last in its current condition, and Mr. Adams said the county wouldn't get another ten years out of it. Although most of the bridge was in excellent condition, the excessive erosion they discovered would reduce its longevity to five years or less. However, with a new deck, it would last a very long time.

Mr. Burgess commented that it was a critical access bridge and felt they had to do something about it, at least complete the design phase. Mr. Stone said they could continue to apply for funding each year, and Mr. Miller told them if it wasn't best for the county, the commissioners shouldn't feel obligated to RockSol in any way.

Mr. Piper asked if the cost would decrease if the county went with Option 1 and didn't get the state funding but found money later. Mr. Miller said it wouldn't if the allocation were federal monies, but they could re-design it if it weren't and likely save some of the costs.

Mr. Miller also suggested talking to Limon Resident Engineer Rhianna Poss and her bosses at the Eastern TPR meetings and letting them know how crucial the bridge and route were for accessing the hospital and sheriff's department and numerous other reasons.

Since the commissioners asked them to look into it, Mr. Ewing felt they owed it to TLM Constructors to find out what they'd charge. Mr. Adams said the DOLA grant cycle was the same, so applications were due by the end of October. The next round would be in March 2024. He felt they could have everything ready if they started soon and targeted next March. Mr. Ewing asked if they could still make it work if the commissioners decided by the end of May, and Mr. Adams said that would be fine. He and Mr. Miller left.

Mr. Burgess moved to sign a letter of permission for Roundhouse Preservation, Inc., and the Hugo Mainstreet group to collaborate in decorating the roundhouse for the holidays. Mr. Ewing seconded the motion, which carried unanimously.

Mr. Piper provided a \$28,950 estimate from Valcore Roofing to repair the roof of the Lincoln County Courthouse. The price covered labor, prep of the existing surface, and installation of new materials to qualify for a ten-year manufacturer warranty. Mr. Piper said CTSI was looking into it and that there was money in the miscellaneous line item of the Capital Projects fund.

Mr. Burgess moved to approve the quote from Valcore Roofing to repair the courthouse roof. Mr. Ewing seconded the motion, which carried unanimously.

Mr. Stone called for commissioner reports, and Mr. Burgess reported talking to Bruce Walters about fuel usage on April 18. Snow removal hit their fuel budget hard, and hauling material from Genoa to various areas didn't help. He participated in a PDC Zoom meeting to discuss loans. Their audit presentation is on May 16. Mr. Burgess attended the Economic Development meeting at Mountain View Electric on April 19. They discussed the annual meeting and scheduling a speaker to talk to them about future board development. He looked at the gravel on County Roads 3X and 27; the crew was still hauling to 3X east of County Road 28. The bars for their newly purchased Grizzly were \$440 each, so Mr. Burgess ordered five. On April 20, Mr. Burgess attended the CTSI meeting in Limon, where they discussed insurance and county budgets. He had dinner with Douglas County Commissioner Lora Thomas to discuss the 18th Judicial District split and shifting the DA employees to Douglas County employees so they had the same benefits. Travis Miller called Mr. Burgess that day with questions about the County Road 109 bridge design. Mr. Piper called Mr. Burgess on April 24 because Brenda Howe felt they shouldn't accept chargeable items on the free landfill day. Mr. Burgess agreed with Mr. Stone that landfill staff should also take those items. The District 2 crew hauled gravel on County Road 3X east of County Road 109 on April 24 and 25. They also took a dozer into the shop for a complete service job. Mr. Burgess talked to Bruce Walters on April 26. They discussed the dozer and the rain. Mr. Burgess scheduled a Zoom meeting with 18th Judicial District Assistant District Attorney Tom Byrnes and Senior Chief Deputy District Attorney Chris Wilcox to discuss DA employees' compensation. Also, on April 26, Joe Kiely notified Mr. Burgess of a meeting taking place in Burlington on May 15, Kit Carson and Cheyenne Wells on May 16 (with supper in Hugo), and lunch at the buffalo ranch in Limon on May 17. Mr. Burgess attended the Progressive 15 meeting in Limon, which was just a get-together. He attended a Zoom meeting with Senator Rod Pelton and Representatives Rod Bockenfeld and Ty Winter to discuss pending legislation.

Mr. Ewing reported stopping by the extension office after the commissioner meeting on April 18. He also visited with Patrick Leonard about the Lady Bird Park area. On April 19, Mr. Ewing talked to Chris Monks about crack sealing. He also attended the Economic Development annual meeting with the other commissioners. Mr. Ewing attended the CTSI meeting with the other commissioners on April 20 and the community CSU extension agent applicant interviews on the Twenty-first. He was highly impressed with two applicants, the result of Lincoln County's excellent 4-H programs. Mr. Ewing spoke with Chris Monks daily between April 24 and 26. They discussed gravel hauling, ordering signs, working on mowers, and rotating tires. They'd blown fuses on one of their trailers but thought they had it fixed. Mr. Ewing attended the Genoa-Hugo FFA hired hand auction and listened to the Pelton/Bockenfeld town hall Zoom meeting. Lastly, Mr. Ewing commented everyone welcomed the much-needed moisture.

Mr. Stone reported attending the Economic Development meeting in Limon on April 19 and the CTSI insurance meeting on April 20. He participated in the CSU Extension Agent interviews on April 21 and said they offered the job to Emily Bailey. He didn't know yet if she'd accepted. He

attended a job interview at the Karval shop on April 24, and they offered the position to the applicant. A resident called complaining about the sheriff's department, and Mr. Stone received an email from Mr. Piper about the issue. Mr. Stone talked to Chris Monks on April 25 about potential solid waste disposal but didn't believe the county could do anything about it. He went by the Karval shop on April 26, discussed chip-sealing and oil projects, and checked several county roads. Mr. Stone asked how much responsibility the county had with unimproved roads. Mr. Kimble responded that although they remain on the county road map, the commissioners have no obligation to maintain them.

Mr. Kimble reported that he is still waiting to hear from the U.P. about the Hugo grade crossing agreement. He asked for the statute numbers that dictated the county's involvement since the crossing is within the Hugo town limits. He said the agreement asked for \$4,400. Stephanie Zwick spoke up to say it was \$4,400 *per crossing*.

Mr. Kimble said the sheriff had no desire to enter into an IGA with Arriba because he didn't have the manpower. Sheriff Nestor had no problem enforcing state laws and keeping the peace but didn't want any part of nuisance or other would-be ordinances. Mr. Kimble added that the commissioners had no authority to force the sheriff to do so.

Mr. Kimble reported the Judgment on the Cameron property was ready to go as soon as the post office returned the certified mail receipt.

Mr. Piper reported the new courthouse and annex janitor would have surgery and might not complete some of her duties. He said he would see if John Mohan could pick up some of the slack regarding trash pickup.

Mr. Piper thought the Karval Water Users issue might have resolved itself. The bond authority granting the loan said that the enterprise the county created wouldn't work. However, making KWU a water authority would, in turn, make them a government entity. If two other government entities with water authority agreed to collaborate, the Karval Water Users organization could apply for funding independently. GMS, Inc., Consulting Engineers met with the Crowley County commissioners, who Mr. Piper said might agree to be the other government entity, along with Lincoln County commissioners. Since water usage fees, not tax dollars, would partially fund the project, it wouldn't require a ballot issue; however, Mr. Piper said the Board would have to adopt a resolution. Mr. Kimble asked if GMS could share the proposed resolution, and Mr. Piper said he was sure they would.

Mr. Piper had checked into the portion of the county's personnel policy requiring sending certified letters to terminated employees, but he'd learned it was only needed if it involved a Workers' Compensation issue.

Lastly, Mr. Piper reported that Casey Wiersma called to ask about rodeo sponsors and how the donations could go into the fairgrounds budget. Mr. Piper told him all revenue would go back to

the General Fund, but they might be able to add a line item into the Fairgrounds' budget and track it with the same amount of revenue in the General Fund budget.

Before taking a quick lunch break at 12:16 p.m., Mr. Burgess commented that he asked Gini Pingenot to put discussing four-day work weeks on the CCI summer conference agenda.

When the commissioners returned, they approved the April 2023 payroll. Mrs. Lengel gave an update on redistricting, stating she'd heard nothing back from Colorado College, who was supposed to be helping them with the GIS portion. The Secretary of State's deadline to complete the project was July 30, so Mrs. Lengel said she'd given CC until June 1 to provide the needed redistricting data. However, she said they still couldn't determine if the commissioners even had to redistrict and couldn't find anyone who could tell them. If Colorado College doesn't help, there is software available from Maptitude, but it would cost \$5,000 for what would probably be one use.

With no further business coming before the Board, Mr. Stone adjourned the meeting at 1:15 p.m. The next meeting will be at 9:00 a.m. on May 8, 2023.

Corinne M. Lengel, Clerk of the Board

Doug Stone, Chairman