

Board of County Commissioners of Lincoln County
Agenda for December 16, 2021

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Open and Review sealed bids for chemicals for the Lincoln County Weed Control Department
- 10:00 Fred Lundy, Land Use Administrator, to discuss the December 9, 2021, Land Use Board meeting
1. Approve the minutes from the December 7, 2021, meeting
 2. Review the November 2021 reports from the County Assessor, County Clerk & Recorder, County Sheriff, and County Treasurer
 3. Review the November 2021 reports from the Colorado Counties Casualty and Property Pool and the Workers' Compensation Pool
 4. Review and act upon application for charging at the Lincoln County Landfill for Will Glass
 5. Review and act upon updates to the Lincoln County Personnel Manual
 6. Review and act upon Resolution #1056; a Resolution to establish the county as a co-applicant with the Friends of the Genoa Tower for an EDA Grant
 7. County Commissioner reports
 8. County Attorney's report
 9. County Administrator's report
 10. Old Business
 11. New Business

The Board of Lincoln County Commissioners met at 9:00 a.m. on December 16, 2021. Chairman Steve Burgess, Commissioners Doug Stone and Ed E. Schifferns, County Attorney Stan Kimble, Administrative Assistant Casey Love, Clerk of the Board Corinne M. Lengel, and Nyal Smith attended. County Administrator Jacob Piper was absent and excused.

When Mr. Burgess called the meeting to order at 9:05 a.m., Weed Coordinator Patrick Leonard and Terry Saffer with Try-Me Spraying were in the audience. Mr. Burgess asked Mr. Leonard to lead the Pledge of Allegiance and then said he would wait until 9:30 to open and review sealed bids for weed department chemicals.

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

The Board reviewed the November 2021 reports from the Assessor, Clerk & Recorder, Sheriff, and Treasurer and the Colorado Counties Casualty and Property and Workers' Compensation pools.

Mr. Stone said he'd received an estimate of \$104,000 to fix the Karval shop after last summer's hailstorm, but they wanted to replace the whole roof. He would like to get another quote before deciding how to proceed, and Mr. Burgess suggested contacting Bart O'Dwyer since he put up the building.

At 9:30 a.m., Mr. Burgess read a letter from Terry Saffer with Try-Me Spraying, LLC, regarding Mr. Saffer's difficulty in submitting a chemical bid as he had in the past. The letter stated that, due to the inability of chemical suppliers to provide adequate price quotes, Mr. Saffer felt he could not offer them to the county either. Some of the products used by the county have doubled in price, so Mr. Saffer was uncomfortable taking the risk. He offered to provide the chemicals as needed and deliver them as he'd done previously. As a farmer, business owner, and member of the weed board, Mr. Saffer expressed that he understood the importance of controlling noxious weeds in Lincoln County.

Mr. Leonard and Mr. Saffer came to the table to further discuss the matter, Mr. Saffer stating that prices have always fluctuated but never like they are now. The only way he could guarantee a cost was to buy the chemical upfront, which he didn't feel comfortable doing.

Mr. Burgess asked if they needed to purchase anything now, but Mr. Saffer suggested waiting because he'd heard the prices would drop if the supply came in as expected. Mr. Leonard said he still had chemicals leftover this year, so he should be in reasonably good shape until around May.

Mr. Burgess told Mr. Saffer the Board appreciated that he came in to discuss it, and Mr. Saffer left.

Mr. Leonard said he'd received an email from Dana with GMS regarding the Karval Water Users. They want to have a workshop with the commissioners, after which the Board would need to hold a public hearing and adopt a resolution. They would have to publish legal notices before the hearing, so Mr. Leonard asked for some time during the earliest February meeting. The commissioners called Mr. Piper to ask if he had the schedule for the February 7 meeting, and Mr. Piper said he'd contact Dana to let her know a time.

Mr. Leonard also asked if it would be possible to use his county credit card to purchase items for the Karval Water Users under its tax-exempt status since the entity is under Lincoln County. He said KWU would submit a check with the statement when he received it. The Board agreed that it had been done in the past when an employee accidentally purchased something with their county credit card and felt it wouldn't be a problem. Mr. Kimble said he assumed that the auditor would let them know if it were an issue.

While Mr. Piper was still on the phone, he said the only thing he had to report was that they should receive the final opioid IGA the following week, so that the commissioners could approve it at their December 29 meeting. Mr. Stone asked Mr. Burgess if he'd spoken with Ben Ferree about being on the board, but Mr. Burgess hadn't been able to get in touch with him yet. He said he'd make sure and speak with him before the next meeting.

Mr. Leonard left, and Mr. Schifferns moved to approve the landfill charge application from Will Glass. Mr. Stone seconded the motion, which carried unanimously.

After reviewing the proposed changes to the Lincoln County Personnel Manual, Mr. Schifferns moved to approve them. Mr. Stone seconded the motion, which carried unanimously.

Land Use Administrator Fred Lundy met with the Board at 10:00 a.m. At its December 9 meeting, the land use board voted to approve Development Permit Application #21-04 from Clint and Gail Rushing for residential use on a forty-acre lot with county road access.

However, the land use board denied Development Permit Application #21-06, Noisy Acres, LLC, because the applicant didn't appear at the meeting, even though several concerned county residents had questions regarding the proposed private driving training facility. Mr. Lundy had notified the applicant that he had thirty days to appeal the land use board's decision.

Mr. Lundy said that since all three commissioners had received an anonymous complaint letter about the third development permit application, the land use board agreed to wait until the January meeting to discuss it further. Mr. Kimble said that since it was a public use question, the commissioners would have to treat it as a quasi-judicial matter. Mr. Lundy felt it wasn't in the county's best interest to start allowing anonymous complaints, and Mr. Kimble agreed that unsigned complaints were not customarily allowed in other instances he'd participated in as a municipal attorney.

Mr. Lundy addressed the issues with his timeliness regarding gravel pits and said he planned to create a checklist and progress report for each pit. He asked for more involvement from the road supervisors, stating that it would be more beneficial to the county if more than one person knew and understood the process, especially considering the past turnover in the Land Use office. He explained he could no longer obtain several of the reports he used to get from websites; they now have to come directly from the agencies, which takes much longer. Mr. Lundy felt there were many things the road foremen could do to help save him from driving to the site each time. Mr. Burgess told him they would do what they could to help expedite the process.

When Mr. Piper was on the phone, he'd informed the group that agenda item number six no longer needed a resolution but a letter of support instead. The Board reviewed the letter, but Mr. Stone said he didn't like that it stated the county would be a co-applicant on the Friends of the Genoa Tower EDA grant. Mr. Burgess asked Mrs. Love to remove that sentence from the letter, which she did while the Board took a break. When she returned, Mrs. Love said Mr. Piper would like the commissioners to call him and discuss it. Mr. Piper explained that the Board had already signed a letter of support for the grant, so the only point of the new letter was to include the county as a co-applicant. He understood that it would not obligate the county financially, nor would it require any work on his part. Mr. Kimble asked if it would be a flow-through similar to what Gillian Laycock had recently received, but Mr. Piper said it would not. He said he would send an email to make sure there was no commitment on the county's part.

Mr. Stone reported talking to Rick Ashcraft on December 8. They had picked up the scraper and brought it to the gravel pit on Hwy 94, and he'd spoken to Mr. Lundy about the gravel permits. Mr. Stone checked roads that afternoon. On December 10, he and Mr. Ashcraft came to Hugo to look at the air tanks on the CAT trucks. They've been having problems with theirs. Mr. Stone said he'd tried but couldn't get on the Eastern TPR meeting on December 13. He attended the Colorado East Community Action Agency meeting in Limon on December 14 and said they would still like a member from Cheyenne County. Mr. Stone attended the employee appreciation party at the courthouse the previous day.

Mr. Schifferns reported checking roads on December 8. He also received a call from a resident concerned with the washboards on County Road 2W. He said they ran a road grader over it, but it wouldn't last without any moisture. Mr. Schifferns attended the Eastern TPR call-in meeting on December 13 and the employee appreciation party on the Fifteenth.

Mr. Burgess reported participating in the Centennial Mental Health Zoom call on December 9. He also went to Genoa and the landfill. Power Equipment picked up the compactor and took it in to install the trash guard and do some other maintenance. When they bring it back out, they'll exchange it for the CAT compactor. The road crew got all the rock hauled to Genoa. On December 10, the road crew was working on grading roads. They also picked up the John Deere tractor in Flagler. Brenda Howe had a few concerns about tire disposal and a billing ticket at the landfill that she discussed with him. Mr. Burgess attended the Eastern TPR Zoom

meeting on December 13. They are working on the funding formula that will come out in January and projects for the next four years. Mr. Burgess said he had Leo's Electrical install new plugs in the Genoa shop for truck hookups. District 2 had two employees off with COVID. Mr. Burgess went to Genoa on December 14 to discuss what the road crew was working on, spoke with Mr. Piper, and went to Stratton for the Prairie Development Corporation meeting. He attended the Economic Development meeting and the employee appreciation party on the Fifteenth. Mr. Burgess stopped in Genoa on his way to the commissioner meeting this morning.

The Board reviewed Allen Chubbuck's November timesheet.

Mr. Kimble reported obtaining the legal descriptions and checking the deeds on the blowing dirt issue Mr. Burgess brought up at the previous meeting. He asked if Mr. Burgess wanted to be involved if he could get representatives from the FSA office and soil conservation district to look at the problem, but Mr. Burgess told him he'd prefer to stay out of it. Mr. Kimble said he would inform the lessee and landowner and try and set up an appointment with the experts. He would also send a letter to the landowner whose dirt was blowing onto adjacent property.

Mrs. Love said that Mr. Piper had sent the email to the Genoa Tower group and had received a response. The county will have no financial obligation or responsibility; the letter that shows the county as a co-applicant simply improves their chances and helps with the process.

Mr. Stone moved to sign the letter supporting the World's Wonder View Tower Project in Genoa as a grant co-applicant. Mr. Schiffers seconded the motion, which carried unanimously.

With no other business to come before the Board, Mr. Burgess adjourned the meeting at 11:05 a.m. The next meeting will be at 9:00 a.m. on December 29, 2021.

Corinne M. Lengel, Clerk of the Board

Steve Burgess, Chairman