

Board of County Commissioners of Lincoln County
Agenda for February 17, 2023

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Review and act upon proposed Resolution #1087; A Resolution authorizing a Supplementary Budget Appropriation for the Public Health Agency Fund
- 9:30 Review and act upon proposed Resolution #1088; A Resolution authorizing a Supplementary Budget Appropriation for the Lincoln County Human Services Fund
- 9:30 Review and act upon proposed Resolution #1089; A Resolution authorizing a Supplementary Budget Appropriation for the Lincoln Community Hospital Fund
- 9:30 Review and act upon proposed Resolution #1090; A Resolution authorizing a Supplementary Budget Appropriation for the Lincoln County E911 Fund
- 10:00 Bill Noyce and Rob Vance from SEI to discuss the Lincoln County Pension funds
- 10:30 Darlene Carpio, Regional Director to Congressman Ken Buck, to provide legislative updates
- 11:00 Ty Stogsdill, Land Use Administrator, to discuss updating building codes
- 1:00 Power Pathway Property Alliance to discuss an Xcel Transformer line

-To be completed as time permits-

1. Approve the minutes from the February 7, 2023, meeting
2. Review the January 2023 reports from the County Assessor, County Clerk & Recorder, County Sheriff, and County Treasurer
3. Review the January 2023 reports from the Colorado Counties Casualty and Property Pool and Workers' Compensation Pool
4. Review January 2023 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
5. Review a letter requesting official de-obligation of the undisbursed funds in the Community Development Block Grant Contract #18-611
6. County Commissioner reports
7. County Attorney's report
8. County Administrator's report
9. Old Business
10. New Business

The Board of Lincoln County Commissioners met at 9:00 a.m. on February 17, 2023. Chairman Doug Stone, Commissioners Steve Burgess and Wayne Ewing, County Administrator Jacob Piper, County Attorney Stan Kimble, Acting Clerk of the Board Mindy Dutro, and Limon Leader reporter Stephanie Zwick attended. Clerk of the Board Corinne Lengel was absent and excused.

Chairman Stone called the meeting to order and asked Mr. Piper to lead the Pledge of Allegiance. The Board reviewed the employee reimbursement agreement. Mr. Burgess made a motion to approve the employee reimbursement agreement with the proposed corrections, Mr. Ewing seconded the motion. The motion passed unanimously.

Mr. Ewing moved to approve the minutes from the meeting held on February 7, 2023, as submitted. Mr. Burgess seconded the motion, which carried unanimously.

The Board reviewed the January 2023 reports from the Assessor, Clerk & Recorder, Sheriff, and Treasurer, and the January 2023 Colorado Counties Casualty and Property and Workers' Comp Pool reports.

The commissioners also reviewed the January 2023 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.

Mr. Burgess moved to adopt a resolution authorizing a Supplementary Budget Appropriation for the Public Health Agency Fund. Mr. Ewing 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 February 17, 2023, there were present:

Douglas D. Stone, Chairman	Present
Steve Burgess, Vice Chairman	Present
Wayne Ewing, Commissioner	Present
Stan Kimble, County Attorney	Present
Mindy Dutro, Acting Clerk of the Board	Present
Jacob Piper, County Administrator	Present

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

RESOLUTION #1087 It was moved by Commissioner Burgess and seconded by Commissioner Ewing to adopt the following resolution:

WHEREAS, C.R.S. §29-1-109(1)(b) allows supplementary budget appropriations by the governing body when unanticipated revenues not assured at the time of the adoption of the budget are received from any source other than the local government's property tax mill levy; and

WHEREAS, Lincoln County Public Health Agency Fund received funds of \$126,436.22 in unanticipated revenues which were used to pay \$126,436.22 in general operating expenses; and

WHEREAS, Lincoln County Public Health Agency Fund has unappropriated fund balances and sufficient cash to meet its expenses; and

WHEREAS, this income was not anticipated at the time of the preparation of the 2022 budget; and

WHEREAS, whatever increases were made in the expenditures, like increases were added to the revenue so the budget remains in balance as required by law.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County, Colorado, that \$126,436.22 be appropriated into the 2022 Lincoln County Public Health Agency Fund budget.

BE IT FURTHER RESOLVED that the 2022 Lincoln County Public Health Agency Fund budget be increased by \$126,436.22, thus making the total Lincoln County Public Health Agency Fund budget \$641,393.22.

Upon roll call the vote was:

Commissioner Ewing, Yes; Commissioner Burgess, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

ATTEST:

Acting Clerk of the Board

Mr. Ewing moved to adopt a resolution authorizing a Supplementary Budget Appropriation for the Human Services Fund. Mr. Burgess 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 February 17, 2023, there were present:

Douglas D. Stone, Chairman	Present
Steve Burgess, Vice Chairman	Present
Wayne Ewing, Commissioner	Present
Stan Kimble, County Attorney	Present
Mindy Dutro, Acting Clerk of the Board	Present
Jacob Piper, County Administrator	Present

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

RESOLUTION #1088 It was moved by Commissioner Ewing and seconded by Commissioner Burgess to adopt the following resolution:

WHEREAS, C.R.S. §29-1-109(1)(b) allows supplementary budget appropriations by the governing body when unanticipated revenues not assured at the time of the adoption of the budget are received from any source other than the local government's property tax mill levy; and

WHEREAS, Lincoln County Human Services Fund received funds of \$1,650,654.60 in unanticipated revenues which were used to pay \$1,650,654.60 in general operating expenses; and

WHEREAS, Lincoln County Human Services Fund has unappropriated fund balances and sufficient cash to meet its expenses; and

WHEREAS, this income was not anticipated at the time of the preparation of the 2022 budget; and

WHEREAS, whatever increases were made in the expenditures, like increases were added to the revenue so the budget remains in balance as required by law.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County, Colorado, that \$1,650,654.60 be appropriated into the 2022 Lincoln County Human Services Fund budget.

BE IT FURTHER RESOLVED that the 2022 Lincoln County Human Services Fund budget be increased by \$1,650,654.60, thus making the total Lincoln County Human Services Fund budget \$4,744,766.60.

Upon roll call the vote was:

Commissioner Ewing, Yes; Commissioner Burgess, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

ATTEST:

Acting Clerk of the Board

Mr. Ewing moved to adopt a resolution authorizing a Supplementary Budget Appropriation for the Lincoln Community Hospital Fund. Mr. Burgess 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 February 17, 2023, there were present:

Douglas D. Stone, Chairman	Present
Steve Burgess, Vice Chairman	Present
Wayne Ewing, Commissioner	Present
Stan Kimble, County Attorney	Present
Mindy Dutro, Acting Clerk of the Board	Present
Jacob Piper, County Administrator	Present

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

RESOLUTION #1089 It was moved by Commissioner Ewing and seconded by Commissioner Burgess to adopt the following resolution:

WHEREAS, C.R.S. §29-1-109(1)(b) allows supplementary budget appropriations by the governing body when unanticipated revenues not assured at the time of the adoption of the budget are received from any source other than the local government’s property tax mill levy; and

WHEREAS, Lincoln Community Hospital Fund received funds of \$3,759,251.00 in unanticipated revenues which were used to pay \$3,759,251.00 in general operating expenses; and

WHEREAS, Lincoln Community Hospital Fund has unappropriated fund balances and sufficient cash to meet its expenses; and

WHEREAS, this income was not anticipated at the time of the preparation of the 2022 budget; and

WHEREAS, whatever increases were made in the expenditures, like increases were added to the revenue so the budget remains in balance as required by law.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County, Colorado, that \$3,759,251.00 be appropriated into the 2022 Lincoln Community Hospital Fund budget.

BE IT FURTHER RESOLVED that the 2022 Lincoln Community Hospital Fund budget be increased by \$3,759,251.00, thus making the total Lincoln Community Hospital Fund budget \$25,214,599.00.

Upon roll call the vote was:

Commissioner Ewing, Yes; Commissioner Burgess, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

ATTEST:

Acting Clerk of the Board

Mr. Burgess moved to adopt a resolution authorizing a Supplementary Budget Appropriation for the E911 Fund. Mr. Ewing 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 February 17, 2023, there were present:

Douglas D. Stone, Chairman	Present
Steve Burgess, Vice Chairman	Present
Wayne Ewing, Commissioner	Present
Stan Kimble, County Attorney	Present
Mindy Dutro, Acting Clerk of the Board	Present
Jacob Piper, County Administrator	Present

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

RESOLUTION #1090 It was moved by Commissioner Burgess and seconded by Commissioner Ewing to adopt the following resolution:

WHEREAS, C.R.S. §29-1-109(1)(b) allows supplementary budget appropriations by the governing body when unanticipated revenues not assured at the time of the adoption of the budget are received from any source other than the local government's property tax mill levy; and

WHEREAS, Lincoln County E911 Fund received funds of \$82,969.88. in unanticipated revenues which were used to pay \$82,969.88 in general operating expenses; and

WHEREAS, Lincoln County E911 Fund has unappropriated fund balances and sufficient cash to meet its expenses; and

WHEREAS, this income was not anticipated at the time of the preparation of the 2022 budget; and

WHEREAS, whatever increases were made in the expenditures, like increases were added to the revenue so the budget remains in balance as required by law.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County, Colorado, that \$82,969.88 be appropriated into the 2022 Lincoln County E911 Fund budget.

BE IT FURTHER RESOLVED that the 2022 Lincoln County E911 Fund budget be increased by \$82,969.88, thus making the total Lincoln County E911 Fund budget \$220,713.88.

Upon roll call the vote was:

Commissioner Ewing, Yes; Commissioner Burgess, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

ATTEST:

Acting Clerk of the Board

Andrew Pellett joined the meeting at 9:45 a.m. and reported that the asbestos test results came back negative and that he provided a copy of his liability and workers compensation plans to Clerk and Recorder Corinne Lengel. Mr. Pellett also told the Board that the original quote included new carpet for the new commissioner room. Mr. Ewing said the District 1 road crew would bring a dump truck and leave it at the courthouse for the construction debris.

Mr. Pellett left the meeting at 10:00 a.m., and Bill Noyce and Rob Vance from SEI joined the meeting to discuss the Lincoln County Pension funds. Mr. Vance reported that 2022 was not a good year for the markets and was the worst year for bonds since the 1970's. He stated that commodities were the only good market from last year and that federal interest rates being raised several times affected the markets a lot. Mr. Piper asked if the county's monthly contributions were doing okay to keep up with where its retirement account needed to be. Mr. Noyce stated he recommends working with the recorder to gage how the account is doing. Mr. Piper said that the account is currently seventy percent funded compared to thirty-five percent funded when he started as the administrator. Mr. Noyce and Mr. Vance left the meeting at 10:25 a.m.

Darlene Carpio, Regional Director to Congressman Ken Buck, arrived at 10:30 a.m. to provide legislative updates to the commissioners. Ms. Carpio informed the Board that Congressman Buck was on the judiciary and house of foreign affairs committees this year, and his main focus is getting the federal spending under control and balancing the budget. She also told the Board that he along with other congresspeople had sent a letter to the IRS to stop the tax Tabor refund, and it was well received because the IRS would not be moving forward with the issue. Ms. Carpio stated that Congressman Buck has also been working on the COVID-19 non-discrimination act that would stop medical facilities from denying treatment due to vaccination status.

Lastly, Ms. Carpio invited the commissioners to attend a Zoom meeting hosted by Congressman Buck on April 5, 2023, at 1:30 p.m., for all the counties he represents. Mr. Ewing asked if the congressman was aware of the new regulation going into effect on June 1 that states all livestock antibiotics must be purchased through a veterinarian. Ms. Carpio said she was

unaware of it and would bring it to Congressman Buck's attention. Ms. Carpio left the meeting at 10:55 a.m.

Land Use administrator Ty Stogsdill joined the meeting at 11:00 a.m. and informed the Board that the state is requiring the county to update their building codes to either 2015, 2018, or 2021 codes by June 30, 2023. There is supposed to be an extension on the deadline, but Mr. Stogsdill and Limon and Hugo would like to get together for a workshop in April. They want to adopt the 2018 codes after they amend a few of the codes. The Board agreed that Mr. Stogsdill should proceed with the workshop with the two towns.

Mr. Kimble told Mr. Stogsdill that Ed Waite would like to withdraw his junkyard permit and go back to his private business. Mr. Stogsdill stated that he would need something in writing from him to formally withdraw his permit. Mr. Kimble agreed and said that the resident will need to know that if after he withdraws his permit, if his residence still fits the definition of a junkyard, he will be subject to county fines. Mr. Stogsdill left the meeting.

The Board reviewed a letter requesting official de-obligation of the undisbursed funds in the Community Development Block Grant Contract #18-611. Mr. Burgess made a motion to sign the letter requesting de-obligation of the undisbursed funds in the Community Development Block Grant Contract #18-611. Mr. Ewing seconded the motion, and the motion passed unanimously. The Board broke for lunch at 11:40 a.m.

The meeting reconvened at 1:00 p.m., and Mr. Stogsdill, Janelle McCaffrey, Wayne Rusher, and Steve Pelster of Power Pathway Property Alliance joined the meeting. The group wanted to discuss the new transmission line that would be passing through their counties of Kit Carson and Crowley as well as Kiowa, Lincoln, and Washington counties. Mr. Pelster addressed his concerns with how Xcel was handing the easements and their lack of willingness to communicate with the landowners. Mr. Kimble asked if Xcel had filed permits with all of the counties, and Mr. Pelster stated they had not filed in Crowley County yet. Mr. Stogsdill said that they had not filed in Lincoln yet either. Mr. Kimble stated that the Board could not do anything until a permit was filed. Mr. Pelster stated that he understands and just wanted the Board to have a heads up on the current concerns regarding the project and that they are not trying to stop the transmission line from going through, just trying to get Xcel to be reliable with any problems that may arise. Mr. Kimble said that Lincoln County has regulations in place to avoid potential problems, and Mr. Stogsdill provided a copy of the standards for regulation of the construction and operation of electric transmission lines to the group. Ms. McCaffrey, Mr. Pelster, Mr. Rusher, and Mr. Stogsdill all left the meeting at 1:40 p.m.

Mr. Stone called for commissioner reports. Mr. Burgess reported talking with District 2 road foreman Bruce Walters regarding taking a Ford pickup to Colorado Springs for some front-end work and also about getting diesel fuel mixed 60/40 for winter blend on February 8. The courthouse had a two-hour delay on February 9 due to road closures from blowing snow, and Mr. Burgess went by the Genoa shop where the road crew was working on equipment due to the bad weather. He attended two zoom meetings also on February 9, one for the new 23rd Judicial District and another for Centennial Mental Health regarding how to help jails and hospitals with cases. The District 2 road crew plowed snow on February 10, and Mr. Burgess

visited with Sheriff Tom Nestor about an IT person and about accidents on I-70. Mr. Burgess checked roads on February 11 and found a vehicle stuck in a snow bank on 3N east of State Highway 71. He called the sheriff to have someone look into it. On February 12, Mr. Burgess checked roads again and stated that District 2 will have a lot of roads that will require attention when the snowy weather clears. Mr. Walters and Mr. Burgess went to Colorado Springs to pick up the Ford pickup, and the District 2 road crew continued pushing snow where it was possible. Mr. Burgess also attended the Lincoln County Republican Central Committee meeting that evening. On February 14, Mr. Burgess picked up supplies at CAT Wagner in Denver for Districts 1 and 2 and spoke with Mr. Stone regarding a two-hour delay for the courthouse the following day. Snow and wind closed the courthouse on February 15, and Mr. Burgess attended the economic development meeting at Mountain View Electric that evening. Mr. Burgess looked at roads on February 16 and spoke with Mr. Walters and Chris Monks about a contract with new employees who the county pays for their CDL testing and licensing. The new sign was delivered to the landfill and landfill manager Allen Chubbuck said it looked good. District 2 road crew continued plowing snow on February 16 and 17.

Mr. Ewing reported attending a bookmobile meeting at the Limon Memorial Library on February 8, and since there was not a quorum, not much business was discussed. They did report that the amount of books checked out was up twenty-two percent in 2022. Mr. Stogsdill and Mr. Ewing attended a Zoom meeting on February 9 regarding adopting new building codes, which they were looking at adopting 2018 codes with some amendments. Chris Monks spoke with Mr. Ewing regarding purchasing a new pickup, road conditions, and the abandonment of the Hugo Ponds road. Mr. Monks visited with Mr. Ewing again on February 10 about the roads and meeting with Jason Critchfield from Wagner on February 13. Mr. Critchfield met with Mr. Ewing and Mr. Monks on February 13, and they discussed the options for the blade that has to be built and the appraisal of the trade-in. The commissioners discussed a two-hour weather delay for Wednesday, February 15, then Mr. Ewing also spoke with 21st Century about a tractor. He attended the Lincoln County Republican Central Committee meeting that evening. Mr. Ewing met with Hugo Town Clerk Maria Nestor regarding the 2018 building codes, then met with several team leaders and Kevin Stansbury at the Lincoln Community Hospital. Mr. Monks and Mr. Ewing discussed the upcoming snowstorm that was to begin that evening, and the Board agreed to have a two-hour delay for the courthouse. On February 15, Mr. Ewing checked roads early, and the courthouse closed for the day due to safety reasons. District 1 worked all day to keep roads open, mainly the oil paved roads, and Mr. Monks visited with Mr. Ewing regarding the courthouse parking lot for the following day. Last, on February 16, Mr. Ewing checked roads early in the morning, and County Highway 109 north of Hugo was already plowed. He commended Mr. Monks and discussed getting a loader down south to push snow and widen some roads, mainly 2G and 2T. He also received a call from some residents along 2P that would like them to plow a windbreak along the north side of the road.

Mr. Stone checked roads on February 8 and discussed road signs with Judd Kravig and Mr. Monks on February 13. District 3 got their loader back from CAT Wagner after it being in the shop for two months on February 14. Mr. Stone discussed with the other commissioners closing the courthouse due to bad weather the following day on February 15. Last, on February 16, Mr. Stone reported that District 3 continued plowing snow and trying to keep the roads clear, and he also checked roads in his district.

Mr. Stone asked Mr. Kimble for his attorney's report. Mr. Kimble stated that he got the order from the courts back on the property outside of Genoa on 3K, and he also received the roundhouse agreement contract from Roxie Devers for subcontracting.

Mr. Stone asked Mr. Piper for the administrator's report. Mr. Piper reported that he will report the results from the employee survey regarding health insurance at the first commissioner meeting in March and that he already had over seventy percent of them back. Regarding the janitor position, Mr. Piper asked if there was any flexibility on the level of pay, stating that he had someone who applied for the position ask. The Board agreed that they would like to stay at Level I, Step 1 for the position. Last, Mr. Piper told the Board that the county would have to be the pass-through for the Karval Community Alliance for the grant they are applying for through CDBG for the Karval Community Building upgrade and that he would be responsible for reporting. Mr. Burgess made a motion to allow Lincoln County to be the lead applicant and pass-through for the Karval Community Alliance for the CDBG grant. Mr. Ewing seconded the motion, which carried unanimously.

Last, Mr. Burgess expressed his interest in stepping down from the hospital board and made a motion to appoint Mr. Ewing to be the commissioner on the hospital board. Mr. Ewing seconded the motion, which carried unanimously.

With no further business to come before the Board, Mr. Stone adjourned the meeting at 2:30 p.m. The next meeting will be at 9:00 a.m. on February 27, 2023.

Mindy Dutro, Acting Clerk of the Board

Doug Stone, Chairman