

Board of County Commissioners of Lincoln County  
Agenda for February 28, 2022

- 9:00 Call to order and Pledge of Allegiance
- 9:30 James Martin with Evergreen Systems and Technology to discuss county server and workstation monitoring, maintenance, and backup
- 10:00 Andrew Lorensen, Human Services Director, to present the Department of Human Services monthly report
- 10:30 Kelly Meier, Public Health Director, to present a public health update
- 11:00 Fred Lundy, Land Use Administrator, to provide a land use update
- 11:30 Robin Halley, CSU Extension Director, and Dennis Kaan, CSU Extension Regional Director, to provide an update regarding the CSU Extension Office

-To be completed as time permits-

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1. Approve the minutes from the February 16, 2022, meeting
2. Review and act upon the County Veterans Service Officer's Monthly Report and Certification of Pay
3. Review and act upon a master engagement agreement with MGT of America Consulting, LLC regarding the Human Services Cost Allocation Plan
4. Review and act upon a correction quit claim deed between the Town of Hugo and Lincoln County regarding the hospital land
5. Review and act upon the Victim Assistance and Law Enforcement Grant Application
6. Review and act upon the COR900000 Annual Report Form for the Stormwater Discharges Associated with Non-Extractive Industrial Activity
7. County Commissioner reports
8. County Attorney's report
9. County Administrator's report
10. Old Business
11. New Business
12. Approve Payroll

The Board of Lincoln County Commissioners met at 9:00 a.m. on February 28, 2022. Attending were Chairman Doug Stone, Commissioners Ed E. Schifferns and Steve Burgess, County Administrator Jacob Piper, County Attorney Stan Kimble (until noon), Clerk to the Board Corinne M. Lengel (except from 10:50 a.m. to noon), and Deputy Clerk to the Board Mindy Dutro (from 10:50 a.m. until noon). Nyal Smith and Wayne Ewing also attended until noon.

Chairman Stone called the meeting to order and asked Mrs. Lengel to lead the Pledge of Allegiance.

Mr. Burgess moved to approve the minutes from the meeting held on February 16, 2022, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

The Board reviewed the County Veterans Service Officer's monthly report and certification of pay.

When the commissioners reviewed the master engagement agreement with MGT of America Consulting, LLC, regarding the Human Services Cost Allocation Plan, Mr. Kimble suggested removing the indemnification clause or adding the verbiage "to the extent allowed by law" that other companies used. He was also uncomfortable that any litigation regarding disputes or mediations would have to take place in Florida. Since there was no immediate deadline to sign the agreement, Mr. Piper said he would inform the consulting firm of the Board's concerns.

Mr. Piper provided a corrected Quit Claim Deed for the property donated to Lincoln Health. Mr. Kimble said the only difference was a correction to the legal description after the hospital had Scott Kimble complete another survey. Mr. Burgess moved to sign the Quit Claim Deed between the Town of Hugo and Lincoln County for the property the town donated to Lincoln Health. Mr. Schifferns seconded the motion, which carried unanimously. Mr. Piper said he would record the deed in the Clerk's office.

The Board reviewed the \$42,600 Victim Assistance and Law Enforcement (VALE) grant application, and Mr. Burgess moved to approve it. Mr. Schifferns seconded the motion, which carried unanimously.

James Martin, with Evergreen Systems & Technology, met with the Board at 9:30 a.m. to discuss the county's server and workstation monitoring, maintenance, and backups. He provided a handout regarding cyber and ransomware attacks across the state, explaining the latter targets businesses, governments, and anyone on the internet. Of those entities attacked, the ones with backups or monitoring software in place didn't have to pay the demanded ransom. Mr. Martin suggested the county purchase Remote Management and Monitoring (RMM) software that he could install on any computer. It would give him remote access to shut a system down when it notified him of an attack. While the county currently uses Carbonite, an annual cost of approximately \$2,000, Mr. Martin said he constantly has to increase storage capabilities. Carbonite also only has a thirty-to-sixty-day backup feature, so any data beyond that would be unrecoverable. The software would isolate ransomware attacks and keep them

from infecting other county systems. Mr. Martin said that most departments use Microsoft Office for their backups, so he was more concerned with the servers, particularly the financial server. The handout provided three options for buying the software based on the number of computers Mr. Martin had calculated. He said there might be others they should add or remove, depending on the need. The lowest annual cost was \$20,400, and the highest was \$25,200.

When Mrs. Lengel asked if a cyberattack would also affect the phone system since it's now internet-based, Mr. Martin said it would. Mr. Burgess wanted to know if it were necessary to protect all the laptops, especially those the commissioners use, or the county shop, landfill, and bookmobile computers. Mr. Martin said it would be up to the departments to decide where they wanted the software, but he wouldn't have to install it on everything. He added that it's much easier to protect against malicious attacks than to clean them up afterward.

Mr. Piper asked if the new software would replace Carbonite, and Mr. Martin said it would. It would also complete a backup every fifteen minutes and provide a virtual cloud backup.

If the county purchased the new software, it would mitigate issues more quickly and isolate problems immediately. Since Mr. Martin would have remote access to several computer systems, it would also reduce the county's costs for his mileage.

Mrs. Lengel said she liked that each system would be the same. She added that the county's employees and computers were the backbones of the business, so any money spent on increasing security and helping the staff perform their duties was money well spent.

Mr. Martin said the software wouldn't replace antivirus software, but it would keep them all up-to-date.

Mr. Burgess moved to allow Evergreen Systems & Technology to work with Datto for Remote Management and Monitoring software on a selective application of county computers for a one-year trial basis paid monthly. Mr. Schifferns seconded the motion, which carried unanimously. Mr. Martin said he would contact each department to determine their needs and provide an updated quote.

Human Services Director Andrew Lorensen met with the Board at 10:20 a.m. to give his monthly report. The commissioners reviewed the financials and employee timesheets and then looked over the Income Maintenance, Child Welfare & Adult Protection, and director's reports. Mr. Lorensen said they would overspend their APS allocation since they only had sixteen percent of their funds left and a full four months remaining in the fiscal year. He added it was happening statewide, so counties wouldn't be able to "make each other whole" if they had excess funds as they'd done in the past. The state APS planned to ask for additional money for counties during the next legislative session, but it wouldn't help them now. Mr. Lorensen said he wanted the commissioners to be aware that it was likely to happen and that it was the first year they'd had an issue with it. Before leaving, Mr. Lorensen asked the commissioners to

oppose legislation that could have an enormous financial impact on counties; however, he couldn't remember the bill number and said he would forward the information when he found it.

At 10:42 a.m., Mr. Stone adjourned the meeting as the Board of County Commissioners and reconvened as the Lincoln County Board of Public Health to meet with director Kelly Meier. Mrs. Meier gave a COVID update and then said she'd heard back about the electronic health record system. The company will put together a ten-year contract, allowing her to use the COVID money to pay for all of it. She also has about \$980,000 in ELC funding to spend until 2024. Mrs. Meier asked if the commissioners would allow them to replace the flooring in the annex, as she learned that removing carpet was considered infection control. She would be allowed to use ELC money to replace it with wood or vinyl flooring. Mrs. Meier offered it to the Extension office but said Robin Halley preferred carpet and asked the Board to speak with him about it.

Mrs. Meier completed her interviews and felt the applicant working on her nursing degree was by far the best choice. While state budgets reimbursed forty percent of the WIC Educator's salary, they would reimburse the new person's salary ninety-to-one-hundred percent through June 30, 2024, since her job duties would include immunizations.

Mr. Stone asked if she would keep the part-time nurse currently on staff if she hired a full-time nurse, and Mrs. Meier affirmed she would so the part-time nurse could cover the days the full-time nurse had to complete her WIC duties. She would like to start the new person on Level 2, Step 1, and move her to Level 6, Step 1 when she gets her nursing degree. Mrs. Meier said she would have three full-time employees (including herself) and three part-time employees whose salaries state funds fully reimburse.

Mrs. Meier left at 10:50 a.m., and Mr. Stone adjourned the meeting as the Lincoln County Board of Public Health and reconvened as the Board of County Commissioners.

Mrs. Lengel stepped out for a legislative phone call, and Acting Clerk of the Board Mindy Dutro took the minutes until the group broke for lunch.

At 11:00 a.m., Land Use Administrator Fred Lundy met with the Board to provide an update from his office.

Mr. Burgess said he'd received a complaint from a county resident about the old weather station south of Limon and asked Mr. Lundy if he had any information regarding enforcing the clean-up of the area. Mr. Lundy stated the landowner needed to apply for a permit if he intended to use the property for anything other than its current zoning, which is agricultural. It appeared the owner used the property to store old propane tanks, a trailer house, trucks, and other vehicles. Mr. Lundy asked the commissioners if they wanted to make the landowner clean it up and then apply for the new use permit through the Land Use Board. They didn't think they could make him remove what was already on his property but did not want him to

add more. Mr. Lundy said he'd issue the property owner a cease-and-desist order stating that he must not add anything else to his property and that he must apply for a permit to change the use to commercial within thirty days of the letter. Mr. Lundy felt one problem they might run into was that the landowner purchased it as "commercial property," even though it wasn't zoned that way.

Next, Mr. Lundy provided gravel pit updates for the Daugherty, Eichman, and Saffer pits. Chairman Stone had received questions regarding Mr. Lundy's office hours and time spent out of the office, and Mr. Lundy told him he used vacation and sick leave when he wasn't in. Mr. Lundy left at 11:15 a.m.

The next item of business was to review and act upon the COR900000 annual report form for the stormwater discharges associated with non-extractive industrial activity. Mr. Piper told the Board that the report was the same as prior years, and no stormwater was collected. Mr. Schifferns made a motion to accept the COR900000 annual report form for the stormwater discharges associated with non-extractive industrial activity. Mr. Burgess seconded the motion, which passed unanimously.

Chairman Stone called for commissioner reports, and Mr. Burgess said he'd taken paperwork needing Mr. Schifferns' signature to Arriba on February 16. Bruce Walters also called to let him know Ken Stroud needed a propane tank for the generator at the Genoa radio tower. District 2 had a 500-gallon tank they agreed to exchange with the landfill's 200-gallon tank to put at the radio tower. On February 17, Mr. Burgess spoke with Patrick Leonard about using his pallet jack to unload the ground cover at the landfill. Allen Chubbuck called to voice concerns about the amount of trash Flagler brings in from Arriba; he felt it also included some town residents' garbage. Mr. Burgess asked if they wanted to address it since he thought they faced the same issue with another business owner. District 2 picked up the mulch machine in Burlington; the repair bill was around \$8,500. It was cold and snowy on February 22, so the road crew worked in the shop. Mr. Burgess contacted Steel Corner in Seibert to see if they could replace the support beam on the belly dump trailer; they will do it next week. Mr. Burgess talked to Allen Chubbuck and Chris Monks on February 23. He also participated in the CCI zoom call regarding upcoming legislation. Mr. Burgess went by the Genoa shop and the landfill on February 25. He also called Mr. Stone about the propane tank for the radio tower and then talked to Ken Stroud about their plans, and he agreed. Mr. Burgess went by the sheriff's new substation in Limon.

Aside from knee surgery, Mr. Schifferns reported a pretty uneventful month, but on February 21, he sat in on interviews for a new District 1 road crew member. It was extremely cold on February 22. He received a call from Sheriff Nestor about purchasing an armored vehicle. On February 23, he received a call from Mr. Burgess regarding the green machine at the landfill. They also had more snow.

Mr. Stone reported that on February 16, he received a call from Mr. Burgess, and, on the Seventeenth, he spoke with District 3 foreman Rick Ashcraft regarding Mr. Lundy's work on the Daugherty gravel pit. He also checked roads. On February 18, Mr. Stone spoke with District 1

road foreman Chris Monks about hiring someone to work half time in the shop and the other half driving a truck. On February 21, he talked to Mr. Ashcraft about keeping the road crew busy during the freezing weather and received a call from Mr. Monks regarding hauling gravel. On February 25, Mr. Burgess called Mr. Stone regarding the propane tanks on the old weather station property south of Limon.

At 11:30 a.m., CSU Extension Director Robin Halley and Dennis Kaan, CSU Extension Regional Director, arrived to provide an update regarding the CSU Extension office. Mr. Halley reported that the enrollment for 4-H for the year is 121, and they have two scholarship steers, one scholarship heifer, one scholarship goat, and two scholarship pigs. The livestock weigh-in is scheduled for March 25 from 8:00 a.m. until 10:00 a.m. at the Meier feed yard.

Mr. Halley told the Board that he finalized the tent for the fair to be the same as last year's tent and that they have several 4-H camps coming up in the next few months. Last, he spoke about how they keep trying to get rural people appointed to the various state ag boards but have had no luck so far.

Mr. Kaan reported that the regional counties are preparing for their upcoming summer fairs, including lining up concert performances and rodeo contractors. He also informed the Board that the state would redistrict the current six regions into the five that correspond with CCIs. The current regional directors will have to re-apply if they want to remain in their positions.

Mr. Burgess told Mr. Halley that Public Health received a grant to replace the flooring in their office, and since the Extension Office is in the same building, the commissioners thought the flooring should match. Mr. Halley stated he would rather not have the hard flooring the grant required, but Nyal Smith commented that the hospital learned of a new anti-microbial carpet that might qualify. Mr. Halley said he would ask Public Health Director Kelly Meier about it.

Chairman Stone called for the attorney report. Mr. Kimble had sent the Board the correspondence he received from the state regarding the waste regulations for dumping waste, otherwise known as sludge, on property. If the commissioners wanted to remove the waste dumping stipulations from the county regs, the state could point them to the resources for "no waste dumping" regulations; however, the commissioners agreed they didn't want to do that. The Board broke for lunch at noon.

Mr. Piper had nothing to report, so Mr. Stone called for old business. Mr. Burgess reminded him they needed to appoint someone to the hospital board to fill Gary Ensign's vacancy. After a brief discussion, Mr. Burgess moved to appoint Pat White to the hospital board to fill the vacancy. Mr. Schiffers seconded the motion, which carried unanimously.

Mr. Burgess reiterated that the commissioners should decide how to handle the new CDL requirements when hiring Road & Bridge employees. He suggested contacting other counties to see what they pay their employees. Mrs. Lengel asked if anyone knew how much the training cost or how long it took and where they would find that information if not. Mr.

Burgess asked the driver examiner to come and speak with them. Tim Hilferty said that potential employees without a CDL would have to complete the ELDT (Entry Level Driver Training) before taking their Skills (driving) test. It was a misconception that a person had to locate a classroom or school because they could take the theory portion online once they got their permit. As long as they passed with an 80%, they would have to complete their Skills test with an instructor. Mr. Hilferty said there was no hour requirement, but the potential employee must use an approved vendor off the list. They could then bring in their permit and upgrade it to a CDL. He did not know how much the training cost.

Mr. Hilferty also told the group that anyone who had given up their CDL in the past could get it back without doing the ELDT as long as they or the examiner could prove they'd had one.

The Board thanked Mr. Hilferty, and then Mr. Burgess asked if he should keep the trailer they'd removed the propane tank from until there were other county-owned items to sell by sealed bid. The others agreed it would be best.

Mrs. Lengel had spoken with Bart O'Dwyer about the election room, and he told her he was working on updating the quote. Mr. Stone had brought up seeking bids at the previous meeting, and Mrs. Lengel said she thought they had to since the project was over \$50,000. Mr. Burgess said it would require an engineer to draw up plans for the bid process, and Mrs. Lengel felt that was the most sensible option, especially since she knew what she wanted the room to look like but had no qualifications for designing it. After further discussion, Mr. Burgess asked if converting the commissioners' room would be an option instead of building something new but then said they'd have to add on somewhere else to have a place to meet.

Mr. Stone said they should call Kevin Stansbury and let him know they'd appointed Pat White to the hospital board.

The Board approved the February 2022 payroll, and then, 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 March 8, 2022.

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Corinne M. Lengel, Clerk of the Board

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Doug Stone, Chairman