

Board of County Commissioners of Lincoln County
Agenda for January 18, 2023

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Evan Wied with Scout Clean Energy, to discuss a potential solar project in Lincoln County
- 10:30 Troy McCue, Lincoln County Economic Development Corporation Executive Director, to present an application for tax abatement for SMFG
- 11:00 Kevin Stansbury, Lincoln Community Hospital CEO, to provide an LCH monthly report
- 11:30 Dennis Kaan, CSU Extension Regional Director, to discuss the Lincoln County CSU Extension position
- 11:45 John Palmer, Fairgrounds Manager, and Casey Wiersma to discuss matters regarding the Lincoln County Fairgrounds
- 1:00 Ty Stogsdill, Land Use Administrator, to discuss Land Use matters

-To be completed as time permits-

1. Approve the minutes from the January 10, 2023, meeting
2. Review the December 2022 reports from the County Assessor, County Clerk & Recorder, County Sheriff, and County Treasurer
3. Review the December 2022 reports from the Colorado Counties Casualty and Property Pool and Workers' Compensation Pool
4. Review and act upon Resolution #1085; a resolution to accept award funds from the Local Assistance and Tribal Consistency Fund
5. County Commissioner reports
6. County Attorney's report
7. County Administrator's report
8. Old Business
9. New Business

The Board of Lincoln County Commissioners met at 10:00 a.m. instead of 9:00 a.m. on January 18, 2023, due to a weather delay. Chairman Doug Stone, Commissioners Steve Burgess and Wayne Ewing, County Administrator Jacob Piper, County Attorney Stan Kimble, and Clerk of the Board Corinne M. Lengel attended. Limon Leader reporter Stephanie Zwick arrived at 10:20 a.m.

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

District 1 Road Foreman Chris Monks stopped by to ask the commissioners to sign the HUTF report and left. Economic Development Corporation Executive Director Troy McCue arrived at 10:05 a.m.

Mr. Burgess moved to approve the minutes from the meeting held on January 10, 2023, but Mr. Ewing said he'd noticed the chairman and vice chairman were listed incorrectly in the resolution on page 11. Mrs. Lengel corrected the error, and Mr. Burgess moved to approve the minutes as corrected. Mr. Ewing seconded the motion, which carried unanimously.

The Board reviewed the December 2022 reports from the Assessor, Clerk & Recorder, Sheriff, and Treasurer reports and the December 2022 Colorado Counties Casualty and Property and Workers' Comp Pool reports. Mr. Piper noted three additional workers' comp incidents caused by weather-related falls, although one employee didn't go to the doctor.

Mr. Piper reminded the group he'd mentioned the county would receive \$100,000 from the Local Assistance and Tribal Consistency Fund. The commissioners had agreed the first tranche would go into the Capital Projects Fund to provide matches toward the Hugo Union Pacific Railroad Roundhouse restoration project. The second tranche would go to the Road and Bridge Fund to offset costs for bridge maintenance.

Mr. Burgess moved to adopt a resolution accepting \$100,000 from the Local Assistance and Tribal Consistency Fund and obligating two \$50,000 tranches to the above-designated funds. 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 January 18, 2023, there were present:

Doug Stone, Chairman	Present
Steve Burgess, Vice Chairman	Present
Wayne Ewing, Commissioner	Present
Stan Kimble, County Attorney	Present
Corinne Lengel, Clerk of the Board	Present
Jacob Piper, County Administrator	Present

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

RESOLUTION #1086 It was moved by Commissioner Burgess and seconded by Commissioner Ewing to adopt the following resolution:

WHEREAS, Section 605(b) of the Social Security Act as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorizes the Department of the Treasury to make payments to certain recipients from the Local Assistance and Tribal Consistency Fund; and

WHEREAS, the award funds may be used to cover any cost incurred on or after March 15, 2021, for any governmental purpose other than a lobbying activity as provided in paragraph b, section 2. Use of Funds in the Terms and Conditions of the U.S. Department of the Treasury Local Assistance and Tribal Consistency Fund; and

WHEREAS, Lincoln County has been obligated a total of \$100,000.00 to be payable in two separate tranches of \$50,000.00: and

WHEREAS, the Lincoln County Treasurer's Office is directed to deposit the first tranche into the Lincoln County Capital Projects Fund, with the intent to provide matching funding towards grants to restore the Lincoln County Roundhouse; and

WHEREAS, the Lincoln County Treasurer's Office is directed to deposit the second tranche into the Lincoln County Road and Bridge Fund, with the intent to offset costs regarding bridge maintenance; and

WHEREAS, the Board of County Commissioners will retain the ability to modify the use of these funds as deemed necessary and appropriate by the Terms and Conditions of the U.S. Department of the Treasury Local Assistance and Tribal Consistency Fund.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County that the total obligated award be accepted and deposited to the appropriate funds as described above.

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:

Shortly after Limon Leader reporter Stephanie Zwick arrived at 10:20 a.m., Mr. McCue introduced Josh Romig with MER Inc dba S mfg., who planned to build a millwork company in Market Place Subdivision north of I-70 in Limon. Mr. Romig hoped the commissioners would approve his tax abatement application.

County Treasurer Jim Covington arrived as Mr. McCue explained that the commissioners adopted an Economic Development Incentive Policy sometime in 2008 or 2009 that provided tax relief to incentivize businesses to locate in Lincoln County. The idea was to refund or reduce property, sales, or use tax for up to four years to help the company establish itself in the community. The county had approved Economic Development Incentive Agreements for Carla's Cluster Care and Wausau Supply Company, giving them refunds for a portion of their real estate and personal property taxes. Mr. McCue felt the company had positive project returns, and it would be a sound fiscal decision to grant the tax reduction.

Mr. Burgess asked Mr. Romig what his business was, and he responded they made items for restaurant interiors. He combined his company with Sedita Manufacturing (primarily a commercial seating—restaurant booths—manufacturer) in 2017. His millwork business made cabinets, countertops, shelves, and bar tops, so combining the two provided even more benefits for the restaurant industry.

Mr. Stone asked how many people Mr. Romig employed and if they would follow the business or if Mr. Romig would have to hire locals. They currently have eleven employees, but Mr. Romig wasn't sure all of them would relocate to Lincoln County. However, he was confident some of them would because a couple had already looked at housing and property to purchase, something no longer achievable in the city.

Mr. Burgess asked what the size of the building was, and Mr. Romig said it would be 125' x 200' or roughly 26,000 square feet. Mr. McCue noted it would be a little bigger than Denver Cutlery.

Mr. McCue said if the commissioners approved the application, Mr. Romig would have to pay the first year's taxes and then submit an application for the rebate. He could continue that process for four years, after which the business should be well established. Mr. McCue added that incentives were not "make or break deals;" the company would still have to stand independently. They also don't pull anything away from existing revenue—if the project didn't happen, the income wouldn't exist anyway.

When Mr. Burgess asked when Mr. Romig planned to start, he responded that W.W. Enterprises had completed soil tests, and he had Bart O'Dwyer on standby to begin as soon as they'd signed the loan papers.

Mr. Kimble asked if the rebate amount decreased each year or if it remained the same, and Mr. McCue said it would be the same.

Mr. Romig commented that ninety percent of Lincoln County's draw was that Denver seemed to want to push his business out by constantly adding new fees, regulations, and requirements.

Lincoln Health CEO Kevin Stansbury arrived at 10:55 a.m., and Mr. Stone told Mr. Romig that the commissioners would review the Incentive Policy and previous applications and get back to him.

Mr. Covington asked if the incentive would affect school or other special district taxes, but Mr. McCue assured him it would only impact the county and municipal taxes. The county would also take in a portion of sales and use tax, except for what Mr. Romig collected from his customers.

Mr. McCue, Mr. Romig, and Mr. Covington left.

Mr. Stansbury gave his monthly report, saying he had no financial statements for December yet but hoped to present them to the hospital board during the following week's meeting. He also provided the CHA & Hospital Financial Report and said they should receive approximately \$2.9 million through the IRS Employee Retention Refund. Mr. Stansbury summarized the three bills they hope to bring forth in the 2023 legislative session and said they wouldn't submit any bill language unless the commissioners were comfortable with it. He briefly defined Critical Access Hospital licensing when Mr. Ewing asked.

Mr. Stansbury left, and Mr. Stone called for commissioner reports.

Mr. Burgess reported taking insurance papers to Genoa on January 10. Crew members worked on the tanker and other equipment. It started snowing around noon on January 11, so he let Mr. Piper know and asked him to inform department heads to have their out-of-town employees go home. The courthouse closed at about 3:30 p.m. Town of Limon Administrator Greg Tacha asked Mr. Burgess when Land Use Administrator Ty Stogsdill would obtain his inspection certification. Mr. Burgess checked with Mr. Stogsdill, who said he planned to take the test on January 23. The District 2 road crew plowed snow on January 12; they are running out of room in the ditches. Nathan Seymour intended to work on their dozer the following week. Mr. Burgess checked with CDOT about the 4P meeting, which they have scheduled. Landfill Manager Allen Chubbuck called Mr. Burgess on January 13 to let him know he'd asked for a quote to service the compactor. Bruce Walters called Mr. Burgess to report that an Arriba resident said the county broke two of his windows when plowing snow. Mr. Walters looked at the damage, as did Mr. Burgess, but couldn't determine how it happened. Rather than turn it into insurance, Mr. Burgess felt the county should pay the window replacement cost. On January 16, Mr. Burgess talked to Mr. Walters and contacted Mr. Ewing to let him know about Tuesday's Resources Unlimited meeting. Chris Monks called Mr. Burgess on January 17 to say the brand inspector called him because a landowner dragged a dead animal into a ditch. Mr. Monks referred the inspector to the sheriff, which Mr. Burgess agreed was the proper course of

action. Through several phone calls and text messages, the commissioners decided to operate the courthouse and annex on a two-hour storm delay on January 18. Mr. Burgess attended the Economic Development meeting at Mountain View Electric and stopped at the Genoa shop on his way to Hugo for the commissioner meeting. He also checked out the armored vehicle donated to the sheriff's office.

Fairgrounds Manager John Palmer arrived at 11:30 a.m.

Mr. Ewing reported taking insurance cards to Chris Monks on January 10. He attended the fair board meeting that evening. January 11-13 was the CCI commissioner orientation, which Mr. Ewing found beneficial. He talked to Chris Monks about county roads on January 16 and attended the Resources Unlimited meeting on the Seventeenth. Mr. Ewing also spoke to the other commissioners about the snowstorm. Earlier this morning, Mr. Ewing discussed roads with Chris Monks.

Mr. Palmer presented a \$51,722 quote from Slatercom Lighting Solutions to replace the fairgrounds arena lights and circuit boxes. Mr. Palmer said Casey Wiersma could not attend the meeting as planned, which was unfortunate because he was the one who had talked to the service rep. However, Mr. Palmer said they had to do something because they could no longer find replacements for the current lights. They could use the existing poles and wiring, which would help with the cost, but Mr. Palmer said they'd need to hire an electrician because the quote didn't include labor.

Mr. Burgess checked the budget and said there was \$65,000 available in the Conservation Trust Fund. When Mr. Piper said they'd budgeted \$35,000 for fairgrounds improvements in the Capital Projects Fund, Mr. Stone asked Mr. Palmer if he anticipated other significant expenses this year. Mr. Palmer said nothing came to mind.

Mr. Piper wanted to know if they would have to request bids on the project, but the group agreed it wasn't necessary for the lighting, just the electrician.

Mr. Burgess moved to approve the \$51,722 quote from Slatercom Lighting Solutions to replace the fairgrounds arena lights and circuit boxes. Mr. Ewing seconded the motion, which carried unanimously.

Mr. Burgess asked Mr. Palmer to see if KC Electric offered a rebate, and Mr. Palmer said he'd talk to George Ehlers.

Mr. Palmer said Mr. Wiersma wanted to talk to the commissioners because Wrangler wished to give the county \$5,000 to sponsor the fair. Mr. Palmer told him the money would have to go into the General Fund if that happened, which the Board agreed was true. The only way it wouldn't was if the organization paid for something specific, like ribbons or the rodeo clown. Mr. Piper said they could also sponsor a first-place prize for an event like bull riding.

Before he left, Mr. Palmer said they hoped to avoid the 2022 beer garden issues by changing the hours and location.

Mr. Stone reported attending the fair board meeting on January 10. They planned to hold the concert at 9:30 Friday night in the old barbeque pit area, which shouldn't interfere with the rodeo or any other events. Amelia Sharp also requested part-time help for four-to-five months during the summer. Mr. Piper said they didn't put any extra in the budget for it, but Greg Etl told him they hoped to roll out a program that might help. Mr. Stone attended the recycling meeting in Las Animas on January 11, checked roads on January 13, and spoke with District 3 road foreman Judd Kravig on January 17. They found something else wrong with their loader, which had been at the repair shop for over three weeks.

Mr. Kimble reported sending the Entry and Seizure Warrant for the property on County Road 3K to the commissioners for their review. He said if the owner didn't clean up the property by the following week, they might have to continue it, given the recent snow accumulation. Mr. Ewing said he'd gotten property ownership information from the assessor's office on County Road 3G, which he gave to Mr. Kimble.

Land Use Administrator Ty Stogsdill met with the Board at 12:25 p.m. The gentleman who owns the tank washing business wanted the county to grant him access to federal land south of County Road 2B for mining purposes because his neighbors wouldn't. Mr. Kimble didn't believe the county had that authority unless they turned the section line into a public road, which Mr. Stone said they didn't want to do.

Mr. Stogsdill presented a Colorado Department of Transportation Junkyard Permit Application and pointed out the Zoned City or County Approval section. Ed Waite filed a development permit for a storage facility in June, but the Land Use Board tabled the subject because they thought it was a junkyard and that Mr. Waite should follow the state regulations.

Mr. Kimble said the state's application required the applicant to provide a screening plan demonstrating durable, relatively maintenance-free screening that completely concealed the junkyard on a year-round basis that was compatible with the surroundings.

After further discussion, Mr. Kimble agreed to draft a letter that Mr. Stogsdill and the Board could approve before sending.

Mr. Stogsdill said the Edison Fire District planned to add to the Kendrick Bible Church building and told him the Board granted an exemption of building permit fees at one time. None of the commissioners recalled doing so but didn't have a problem exempting the fee. Mr. Stogsdill assumed a similar request would come from the Karval Community Alliance for the community building.

Mr. Stogsdill left, and Mr. Piper said he'd found the Wausau Supply Company Economic Development Incentive Agreement from 2018. Limon granted an eighty percent rebate on real

property, forty percent on personal property taxes, and an eighty percent rebate on sales tax for the 2019 through 2022 tax years. The county's incentive was a seventy percent rebate on real property and forty percent on personal property.

Mr. Piper informed the Board that Colorado Parks and Wildlife representatives would meet with them on January 30 to discuss permanently closing the road at the state ponds. The commissioners adopted a resolution in May 2020 to close a portion of County Road 34.2 for two years to assess the resulting benefit or effect on wildlife in the area. The closure affected the portion of County Road 34.2 running in a southeasterly direction from County Road 2G to County Road 2D, containing approximately one-and-a-half miles between two interior cattle guards. Mr. Piper assumed they would have to hold another public hearing if the commissioners wanted to close the road permanently since they'd done so for the temporary closure.

In old business, Mr. Burgess asked Mr. Piper if he'd heard anything further regarding the CDL training. Mr. Piper said it still appeared they were looking at early-to-mid February and that he'd left Cody Fry with Southeast Colorado Enterprise Development another message.

Mr. Ewing said a couple of things he'd learned at the CCI commissioner orientation was that the county should expand its website for public transparency and that Human Services should be able to recoup the rent costs of the new house in Limon from the state. Mr. Burgess told him DHS rented the house through a grant. Mr. Piper also explained that the county pays a group to audit how much time county employees spend on Human Services activities, which the state then reimburses annually.

Mr. Ewing also suggested meeting with the local school guidance counselors and presenting a career with the county as an available option for high school students.

The commissioners discussed a couple of upcoming meetings, and then, with no further business to come before the Board, Mr. Stone adjourned the meeting at 1:10 p.m. The next meeting will be at 9:00 a.m. on January 30, 2023.

Corinne M. Lengel, Clerk of the Board

Doug Stone, Chairman