

Board of County Commissioners of Lincoln County
Agenda for March 18, 2022

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Dave Smith to discuss a property survey
- 10:00 Dannah Koeniger with GMS to discuss grant administration for the Karval Water Users
- 10:30 Megan Mosher with the Colorado Prairie Arts and Music Council to discuss the 2022 concert
- 11:00 Joy Johnson to discuss the Veteran's Service Officer position
- 11:30 Fred Lundy, Land Use Administrator, to discuss land use matters

-To be completed as time permits-

1. Approve the minutes from the March 8, 2022, meeting
2. Review the February 2022 reports from the County Assessor, County Clerk & Recorder, County Sheriff, and County Treasurer
3. Review the February 2022 Statement of Revenues and Expenditures for County General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, Human Services, Road & Bridge, and the individual Road Districts
4. Review the February 2022 reports from the Colorado Counties Casualty and Property Pool and Workers' Compensation Pool
5. Review and act upon a lease agreement between Lincoln County and Robert Safranek
6. Review the Lincoln County Employee Pension Plan 2021 GASB report
7. Review an act upon a proposal from Centro regarding grant writing for the Lincoln County Roundhouse
8. County Commissioner reports
9. County Attorney's report
10. County Administrator's report
11. Old Business
12. New Business

The Board of Lincoln County Commissioners met at 9:00 a.m. on March 18, 2022. Chairman Doug Stone, Commissioners Ed E. Schifferns and Steve Burgess, County Administrator Jacob Piper, County Attorney Stan Kimble, Clerk of the Board Corinne M. Lengel, and Nyal Smith attended.

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

Mr. Burgess moved to approve the minutes from the meeting held on March 8, 2022, as submitted. Mr. Stone seconded the motion, which carried.

The Board reviewed the February 2022 reports from the Assessor, Clerk & Recorder, Sheriff, and Treasurer, and the 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 individual road districts. The commissioners also reviewed the February 2022 Colorado Counties Casualty & Property and Workers' Compensation Pool reports.

Dave Smith met with the Board at 9:30 a.m. to discuss a property survey. Deputy Assessor Renita Thelen also attended the discussion. Mr. Smith said a survey completed by Keith Westfall on a portion of Section 32, Township 10 South, Range 54 West reflected an encroachment of 2'1" x 58.9' west of the subject property onto county land. His proposed solution was to increase the encroachment to a strip 3' x 60' and pay the county \$180, which should solve the problem. Mrs. Thelen said she'd used a dollar per square foot as a recommended sale price based on sales in the town of Hugo over the past year. Mr. Smith would order a corrected survey and record it so the assessor's office could put the property back on the tax rolls. Mr. Kimble stated the town of Hugo adopted a new land code in 2020, adding simple subdivision regulations that might create requirements the county wasn't aware of, so he felt Mr. Smith should contact the town for approval. He added that the county would continue to own the property until deeded because adverse possession doesn't work against a government entity.

Mr. Burgess moved to sell a 3' x 60' county-owned portion of Section 32, Township 10 South, Range 54 West of the 6th P.M., contingent upon approval from the town of Hugo. Mr. Schifferns seconded the motion, which carried unanimously.

There were no changes to the lease agreement between Lincoln County and Robert Safranek, so Mr. Schifferns moved to sign the annual \$960 lease agreement with Robert Safranek for the N2: 28-9-55, less eighty acres for the county landfill. Mr. Burgess seconded the motion, which carried unanimously.

The Board reviewed the Lincoln County Employee Pension Plan 2021 GASB report. The total pension liability increased by \$400,000, leaving \$2.6 million unfunded. Since it was 56% the previous year, Mr. Piper felt good about the growth to 60.8% but said the liability could change

drastically if the IRS ever adjusts the way it sets the discount rate. He also explained the actuarial assumptions, including demographics, and pointed out the projected position of the plan from 2022 to 2071. With the current staff and an average payout, the plan would remain solvent until at least 2100 if the county continues to contribute additional funds and all other factors remain close to the same.

Emergency Manager Ken Stroud joined the meeting a little before 10:00 a.m., at which point the Board called Dannah Koeniger with GMS to discuss grant administration for the Karval Water Users. Mr. Burgess asked her to explain the loan forgiveness program, and Ms. Koeniger clarified that GMS handles all funding aspects of the project. Each funding source has different rules, so GMS takes care of the draws on them when they've secured all the funds. They deposit the money in the county's accounts so the county can pay the bills. She described the possible funding sources as Energy Mineral Assistance Impact and CDBG grants through DOLA and a State Revolving Fund Design and Engineering loan facilitated through the Colorado Water Resources & Power Development Authority. Ms. Koeniger felt the project needs assessment would go well for KWU as Karval would qualify as a disadvantaged community. She said GMS would submit the loan application, which could provide sixty-to-eighty percent of principal loan forgiveness. Much of the water/wastewater funding in the Infrastructure bill will also go to the Authority, making the probability of principal loan forgiveness even greater. Ms. Koeniger said that if GMS found other funding sources along the way, they would automatically apply for those too. She felt there was no need to bring Jamie Giellis onto the project since GMS was already doing everything she would do. The Board thanked Ms. Koeniger for her time and clarification.

John Palmer arrived at 10:15 a.m., and the commissioners asked if Valinda Eberle contacted him about putting a veterans' memorial at the fairgrounds. He said she had, and he'd figured out a place for it.

Mr. Palmer also said he'd spoken with the company that provided the sound for the fair last year, and if the county purchases a system, he will have to install it because the company won't do it.

At 10:30 a.m., Megan Mosher, with the Colorado Prairie Arts and Music Council, met with the Board to discuss the 2022 concert. Chris Huelskamp and Amy Vice also attended the discussion, and Mrs. Mosher said Elisha Thompson was joining from her cell phone. They would like to hold the concert in conjunction with the fair again and have it after the Saturday afternoon rodeo. Mr. Stone said that part of Mr. Palmer's job as fairgrounds manager was to schedule events, so they would need to ask him how he felt about it. Mrs. Mosher assured the group that they wanted to make it less work for Mr. Palmer and would do whatever it took to have a successful event.

Mr. Palmer admitted he wasn't in favor of it at first, but the more he thought about it, he would like to see concerts at the fair again. He had some ideas of where to put the stage that wouldn't interfere with the show barn and livestock participants. Mrs. Mosher said the only

thing they needed to keep in mind was that the sound people had to set up twenty-four hours in advance.

The commissioners agreed that the concert would help the fair and benefit everyone if the entities could work together.

After the others had gone, Mr. Palmer said the sound system project at the fairgrounds would require a man lift, and he remembered the commissioners and John Mohan talking about buying one in the past. Mr. Burgess again commented that it was something they needed to do. Mr. Palmer said the sound system, including amps and twelve speakers, will cost somewhere between \$5,000 and \$10,000.

The Board reviewed the proposal from Centro regarding grant writing for the Hugo Union Pacific Railroad Roundhouse. Phases I through III would cost roughly \$2,500, and Mr. Schifferns moved to approve those sections of the proposal. Mr. Burgess seconded the motion, which carried unanimously.

At 11:00 a.m., Joy Johnson met with the Board regarding the Veterans' Service Officer position. After a brief interview, Mr. Burgess moved to offer the job to Joy Johnson. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Stone called for commissioner reports, and Mr. Burgess said he'd called GMS on March 9 to ask about using Jamie Giellis to help figure out funding for the Karval Water Users project. Mr. Burgess talked with Bruce Walters about the activities of the road crew and went to Hugo for a meeting regarding long-range hospital planning. He called Gini Pingnot with CCI about proposed legislation and said the commissioners opposed giving credit unions the same status as national banks. On March 10, Mr. Burgess discussed the snow with Mr. Walters. He participated in a Centennial Mental Health Zoom meeting, received a couple of phone calls from county residents, and attended the hospital board meeting. Mr. Burgess went to Genoa on March 11. Mack Trucks came out to work on the truck with the def problem and complete upgrades on two of their other trucks. He also checked in with the landfill. Mr. Burgess and the other commissioners attended the Eastern TPR meeting in Akron on March 14. He went by the landfill on March 15 and said everything looked good. A winter storm on March 17 had the road crew checking roads and subsequently plowing on the Eighteenth because of the ensuing winds.

Mr. Stone reported receiving a call from the Eastern Colorado Bank on March 9 asking the commissioners to oppose HB22-1277. Robin with the Colorado Division of Reclamation, Mining, and Safety contacted him regarding delinquent payments on gravel pits. He also talked to Rick Ashcraft in preparation for the snowstorm. Mr. Stone spoke with Mr. Ashcraft again on the Tenth. He also discussed the Colorado East Community Action Agency meeting agenda with Pat Vice. On March 11, Mr. Stone checked roads and called John Palmer about the veterans' memorial and flagpole. He attended the Eastern TPR meeting in Akron on the Fourteenth and prepared for the storm on March 16.

Mr. Schifferns reported receiving the same phone call about HB1277 on March 9. He spoke with the Arriba mayor and others about an issue in Arriba on the Tenth. A resident called him on March 11 about his road not getting plowed, so Mr. Schifferns had the road crew take care of it. He attended a portion of the TPR meeting on March 14 and spoke with Chris Monks on March 15 about an employee.

Land Use Administrator Fred Lundy met with the Board at 11:30 a.m. to discuss land use matters. Mr. Stone told him the commissioners wanted to discuss his job performance, and Mr. Piper informed Mr. Lundy that he had the choice of doing it in executive session. Mr. Lundy waived the option.

Mr. Stone stated the commissioners were extremely concerned with the way Mr. Lundy handled the county's gravel permits, adding that the state should never have had to resort to contacting a commissioner because of delinquent payments. Mr. Burgess also expressed his displeasure with Mr. Lundy's inefficiency and said he wasn't in favor of keeping him. Mr. Schifferns noted they'd given Mr. Lundy ample time and opportunity to complete the work and meet the deadlines, which he hadn't done. Mr. Stone said the termination was effective immediately, and Mr. Lundy said he understood and there were no hard feelings.

Mr. Stone called for a fifteen-minute recess.

When the meeting reconvened, Mr. Burgess said Greg Tacha told him the town of Limon would allow the county to use its building inspector if needed. Mr. Piper asked if he and his assistant should answer the Land Use Administrator's phone and see if Mr. Lundy had other tasks to complete. Mr. Stone said they'd appreciate it, and Mr. Burgess suggested reaching out to other counties if necessary, and the Board decided to hold a work session on March 23 to discuss it further.

Mr. Kimble reported that the landowner dispute trial is still on the schedule for the end of April. Due to the assessor's recent health issues, Mr. Kimble planned to see if Renita Thelen would be able to fill in for him in court. Mr. Kimble said he'd take the approach that section line roads not already designated as such aren't feasible for the county and hoped it wouldn't appear as favoritism on one side of the argument. He added the county's road policy had been invaluable since its inception in 2014.

Mr. Piper reported that Lincoln Health donated two wheelchairs for people to use at the courthouse and asked the commissioners if they wanted him to put an acknowledgment in the newspapers. Mr. Burgess moved to have Mr. Piper put an announcement in the paper thanking the hospital for the wheelchairs. Mr. Schifferns seconded the motion, which carried unanimously. Upon further discussion, Mr. Burgess said it might be better to wait until the commissioners approved the minutes, and then Will Bublitz could use them to put something together for the papers.

Mr. Piper also mentioned that the county didn't have a policy specific to mental health leave and asked how the commissioners would handle it when it occurred. Mr. Kimble said it would be difficult to address without violating HIPPA regulations and said he'd check into it. Mr. Burgess suggested that Mr. Piper contact CTSI to see if they had a policy. The commissioners agreed they would most likely allow an employee to use as much sick and vacation time as needed and then treat it like any other illness if they ran out.

The group scheduled board meetings through the end of August, and then Mr. Stone called for old or new business.

Mr. Burgess asked if they should address the weather/office closure policy again based on what happened the previous week. The others agreed not to change the late start policy since it happened so infrequently.

Mr. Stone asked Mrs. Lengel if he needed to sign something regarding the election security grant she was to receive, but Mrs. Lengel said she would let him know when the state notified her. She again brought up building the Voter Service and Polling Center/election equipment room, and Mr. Burgess said he'd thought further about his suggestion of using the commissioner office and employee lounge instead of adding on. Mrs. Lengel responded his idea wouldn't work because she and her staff couldn't see through the commissioners' room to the VSPC entrance like they would if they added onto her office, so she would have to provide full-time coverage or hire more election judges. She had called and left a message for Brad Olson, an architect with local ties, to come and help with plans but had never heard back from him. Mr. Burgess said Mr. Olson had moved to Texas, but he would check to see if he still did any work in Colorado.

With no further business to come before the Board, Mr. Stone adjourned the meeting at 12:45 p.m. The next meeting, aside from the workshop on March 23, will be at 9:00 a.m. on March 31, 2022.

Corinne M. Lengel, Clerk of the Board

Doug Stone, Chairman