

Board of County Commissioners of Lincoln County
Agenda for November 15, 2023

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Travis Miller with RockSol Consulting Group, Inc. to discuss the off-system bridge grant application
- 10:00 Darlene Carpio, Regional Director to Congressman Ken Buck, to provide legislative updates
- 11:00 Gloria Sandoval to discuss personal flood damages from the June flooding event

-To be completed as time permits-

1. Approve the minutes from the November 8, 2023, meeting
2. Review October 2023 reports from the County Assessor, County Clerk & Recorder, County Sheriff, and County Treasurer
3. Review October 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
4. Review the October 2023 reports from the Colorado Counties Casualty and Property Pool and Workers' Compensation Pool
5. Review board appointments for 2024
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 November 15, 2023. Chairman Doug Stone, Commissioners Steve Burgess and Wayne Ewing, County Administrator Jacob Piper, and Clerk to the Board Corinne M. Lengel attended. Limon Leader Stephanie Zwick attended until 12:15 p.m., and County Attorney Stan Kimble was absent and excused.

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

District 1 Road Foreman Chris Monks came for the 9:30 discussion, and Mr. Burgess said Mr. Monks had told him McCormick Excavating sold to a company in Topeka, Kansas. Mr. Monks said Jim McCormick planned to stay on and help out for a while.

Mr. Ewing moved to approve the minutes from the November 8, 2023, meeting as submitted. Mr. Burgess seconded the motion, which carried unanimously.

The Board reviewed the October 2023 reports from the Assessor, Clerk & Recorder, and Treasurer, and the October 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.

Deputy Assessor Renita Thelen joined the meeting at 9:25 a.m., and Travis Miller arrived shortly after.

Mr. Piper said he hadn't received the October 2023 Colorado Counties Casualty and Property and Workers' Compensation reports.

Mr. Stone asked Mrs. Thelen if she had something to discuss with the commissioners, and she provided a spreadsheet regarding possible revenue reduction depending on the outcome of the legislative special session beginning November 17. Governor Polis called the special session after Proposition HH failed in the November 7 election. Mrs. Thelen said they would discuss assessment rate changes, possibly changing certification deadlines, and late tax notices. In the worst-case scenario, Lincoln County could revert to the 2019 assessed valuation of \$175,028,883 when it currently sits at \$191,175,222. Mrs. Thelen noted it meant less tax revenue for municipalities and special districts countywide. After a quick calculation, Mr. Piper said it might mean reducing the proposed 2024 budget by \$315,000. Mrs. Thelen said she would let the Board know what she found out and then stayed to listen to Darlene Carpio's legislative updates. Ms. Carpio arrived at 9:30 a.m.

Travis Miller with RockSol Consulting Group, Inc., met with the Board to discuss the off-system bridge grant application and County Highway 109 bridge project. He and Mr. Piper planned to present the information during a Zoom meeting the following afternoon, and Mr. Miller said RockSol's bridge engineer would also. Mr. Miller felt the presentation provided solid reasons why the federal program should award grant funds to Lincoln County, such as the county's already-invested \$125,000 and the project's shovel-ready status by July 2024. Most

importantly, he said the bridge was a critical structure for the sheriff, first responders, the hospital, and school and would cause hardship to residents by making them travel twenty miles out of their way if it failed. Mr. Miller said a commissioner should be prepared to answer if the county would contribute more funds if the grant award ended up less than the full eighty percent. Mr. Piper asked if the commissioners had a number they would like him to give if that question arose. All three commissioners planned to attend the presentation.

Mr. Burgess said that since CDOT operated using the fiscal year, the county wouldn't start the project until next fall. Mr. Miller told him they'd noted on the application that the county would do the project from July through December next year. Mr. Monks wanted to know how they could be ready by July. Mr. Miller said RockSol would complete the plans by March, allowing the county to meet with CDOT for the state's specifications and approval, advertise for bids, and ultimately accept a contractor. He noted that while state funding was more lenient and allowed counties to choose the contractor, federal money often regulated accepting the lowest bid. Mr. Monks asked if RockSol would provide the specs to CDOT; Mr. Miller said they would. RockSol built funds into the cost if the county wanted to hire someone to oversee the construction. Mr. Miller felt the county had a fair chance of receiving the money based on the higher amount offered this year, and only eight counties applied.

Mr. Burgess asked if closing the bridge meant the county would have to compensate the landowner who runs cattle on the property. Mr. Miller said they would have to put up a fence, adding to the overall cost. The county could allow the landowner to move their cows from one side of the bridge to the other if necessary and could post a flagger while that occurred.

Mr. Monks wanted to know how long Mr. Miller estimated the project to take, and he said he'd planned one hundred working days, roughly five months. Once they got the plans to ninety percent completion, they would put together a schedule of how long each phase should take.

Mr. Burgess said they needed to determine how much material the county could supply to meet the specifications. Mr. Miller said if the commissioners wanted to keep the millings, they could include hauling them off as part of the county's in-kind. After further conversation regarding other in-kind contributions, Mr. Miller said the information wasn't necessary for the presentation. However, RockSol would include it in the bid specs if the county got the grant funds. He noted they should know within a week or so after the presentation and suggested a meeting with CDOT as soon as possible if they received good news.

Economic Development Director Troy McCue arrived at 10:10 a.m.

The Board met with Darlene Carpio, Regional Director to Congressman Ken Buck, at 10:20 a.m. She noted that the congressman wasn't seeking reelection but that numerous potential candidates expressed interest in the office.

Ms. Carpio addressed the government shutdown due to happen on November 17. The House passed House Speaker Mike Johnson's proposed laddered approach, setting up two shutdown

deadlines in January and February, extending funding for priorities like military construction, veterans' affairs, transportation, housing, and the Energy Department. Anything not covered in the first step would receive funding until February 2. The Speaker's plan didn't include additional aid for Israel or Ukraine but would give lawmakers more time to negotiate and pass full-year spending bills. Ms. Carpio's concern was what the proposal would do to the Farm Bill that expired on September 30. She assumed they would extend it to September 30, 2024, so the program could continue; however, it wouldn't receive further funding. On the other hand, there would be no new regulations placed on it.

Ms. Carpio asked how negotiations were going with FEMA for the county's flood damage, and Mr. Stone said it was a slow process. Mr. Piper added that the biggest problem was the miscommunication. While one group of representatives said not to track the smaller projects because FEMA was only interested in the large-scale issues, they later learned from other representatives that it wasn't true.

Ms. Carpio asked when the county adopts its budget, referring to the governor's special property tax session scheduled to start Friday. Mrs. Thelen said lawmakers had to figure it out by Thanksgiving to meet current deadlines. Entities must certify their mill levies to the county by December 15 for the assessor to certify on December 22 unless the governor extends those deadlines. Mr. Piper noted that if assessed values decreased as predicted, the county would have to cut over \$300,000 from the 2024 budget proposals. Mrs. Thelen said that was without assessment rate changes or homestead exemptions. She told Ms. Carpio it would revert the county's valuation to 2019 values by comparison, which was detrimental to the entities that relied on property taxes to run their organizations.

Ms. Carpio had nothing else to report and left.

Mr. Burgess said he'd attended the Economic Development meeting earlier that morning and asked Mr. McCue to give a brief report while he was there. Highlights from the meeting were over forty vacant houses in Hugo, Limon officials intended to move forward with the east end waterline and sidewalk projects in 2024, and the old Pizza Hut was for sale. Mr. McCue said he pitches it and the vacant Ruby's building whenever someone in the restaurant business comes through the SBDC. Mr. Stone asked about housing, and Mr. McCue said the county might want to opt into Proposition 123 by next fall. He noted that the Karval group got a \$20,000 Boettcher grant for the food pantry and community building projects and that the town of Hugo would receive \$1.5 million for numerous renovations.

Gloria Sandoval and Leeann Welch arrived at 10:45 a.m., and Mr. McCue and Mrs. Thelen left at 10:50 a.m.

Mr. Stone invited Mrs. Sandoval and Ms. Welch to discuss their report of personal flood damage to the Sandoval residence on County Road 3E during the summer storms. Ms. Welch said she was Mrs. Sandoval's neighbor and had experienced flooding not as extensive as the Sandoval's. Mrs. Sandoval said her insurance policies wouldn't cover the damage and asked if the

commissioners could help because the county didn't properly maintain its culverts. They were mainly plugged, with approximately four-inch openings, and one pointed directly toward her garage. Ms. Welch said another neighbor, Tim Rodgers, had dug several ditches on neighboring properties other than his own, and Mrs. Sandoval commented he'd cleaned out "his" culvert but none of the others.

Mrs. Sandoval asked for suggestions on redirecting the water and if the county would share the cost if they had to build a berm or ditch to fix it. Mr. Ewing said there was once a berm on the property, but the previous landowner removed it. Mr. Burgess remembered a retaining wall had once been there, too, and the owners added a garage later during a remodel. Ms. Welch asked if the county could move the culvert so it didn't point directly at the Sandoval's garage, but Mr. Ewing said the water would then go over the road in the same place. He noted that his road foreman had offered to bring the Sandovals a couple of loads of dirt so she and her husband could build a berm, but other than that, the county couldn't do anything with private property. Mr. Ewing said he knew it wasn't the help she wanted, but it was the best they could do. Ms. Welch asked if someone would check the culverts and clean them out, and Mr. Ewing told her he would take care of it.

Mrs. Sandoval and Ms. Welch left, and Mr. Burgess reported taking the Ford 550 weed truck to Interstate Diesel on November 8. However, the light wouldn't come on, so they couldn't work on it. He went to Fort Morgan for the Centennial Mental Health meeting on November 9. They elected a new chairperson and mentioned that the year's turnover rate was close to forty percent, and they planned to work to lower it. While the District 2 road crew cut weeds around the bridges on November 13, Mr. Burgess went to Denver and picked up new barricades. He talked to Patrick Leonard about the weed truck, who told him the light didn't come on when he returned to Karval; however, it did when he started the truck the following Monday. On November 14, Mr. Burgess spoke with Jim McCormick about selling McCormick Excavating. He also talked to Allen Chubbuck, who told him Power Equipment planned to work on the landfill's compactor. Mr. Burgess and Bruce Walters discussed FEMA's request for the county road maintenance records. Mr. Burgess reported attending the Economic Development meeting at Mountain View Electric earlier this morning.

Mr. Ewing reported speaking with Chris Monks on November 10 about roads, mowing, a new employee, a possible downed sign, and the due date for the December bills. On November 13, Mr. Ewing spoke with Mr. Monks about the FEMA management paperwork and GPS of damaged roads. He noted there was much more than one would think when adding it up. The new District 1 employee started that day, and Mr. Monks had him and another employee work on cutting weeds along County Highway 109. Mr. Monks asked Mr. Ewing to contact Mr. Burgess about using the Jamaco pit for work southeast of Arriba, which he did on the Fourteenth. Mr. Ewing and Mr. Monks also discussed oil, fuel, asphalt, DEF, and other budget priorities. He learned the sign he'd mentioned was down, but road crew members were putting it back up. Mr. Ewing reported learning on November 14 that the meetings with Emergency Manager Ken Stroud and the FEMA representatives changed but didn't know any further details. He asked Mr. Monks to attend the November 15 bridge discussion with Travis Miller and the afternoon

meeting with Gloria Sandoval. They discussed more patching on the west end of County Road 3E. Mr. Ewing attended the Genoa town board budget and monthly meetings that evening, but no residents came for the budget meeting. The town board adopted a resolution and ordinance to annex the Wonder Tower property, discussed Christmas decorations, and heard reports from the maintenance and water departments. The town board also listened to information regarding Google listings and adopted ordinances setting mill levies, adopting the budget, and appropriating revenue. They planned to hold interviews for a new town clerk on November 21. Lastly, Mr. Ewing reported the road crew planned to work on damaged roads south of Arriba and finish mowing along County Hwy 63.

Mr. Stone reported talking to Judd Kravig about the tractor window on November 8. They also had to order a new hydraulic hose. Mr. Stone received a call on November 11 about some damaged spots on south County Hwy 109. He went to the Karval shop on November 13, where he and Mr. Kravig discussed budgeting, mowing, and blading. Mr. Stone spoke with Mr. Kravig again on November 14 about the FEMA maintenance requests. Mr. Stone said he talked to Chris Monks and Bruce Walters earlier this morning and called Mr. Kravig. District 3 was about three-quarters finished with its mowing operations, and Mr. Kravig told him they still hadn't received the tractor window.

Mr. Kimble had given Mr. Piper nothing to report for him, so Mr. Piper gave the administrator's report. He informed the Board he'd almost finished the 2024 budget but didn't want to put any further work into it if it would all change after the legislative special session. The commissioners agreed to meet at 10:00 a.m. on December 13 to adopt the 2024 budget instead of doing it on December 8, giving Mr. Piper time to rework figures, if necessary.

Mr. Piper provided a gender and race breakdown of county employees for the 2023 U.S. Equal Employment Opportunity Commission EEO-4 data collection report, due each odd year. He stated Lincoln Health still needed to provide its employee data before he could submit the final report.

Mr. Piper reminded the commissioners to review the list of load postings with their road foremen so he could submit the information before the deadline. He also noted that employees interested in the county vehicles had until November 17 to notify him. Once he had that information, Mr. Piper said he would request bids.

Mr. Burgess asked the others if they should reconsider prepaying fuel and other items with the possible value reduction looming. Mr. Piper said that while the General fund typically had a higher fund balance at the end of the year than anticipated, the Road & Bridge fund was usually pretty tight. Holding off on additional spending might help next year when it becomes necessary.

Mr. Burgess said the Board needed to set future meeting dates but could do it at the next meeting. Mrs. Lengel asked if they still planned to approve the November payroll via email,

which the Board verified. They also agreed to virtually approve any additional December bills on January 5 since the first January meeting was the January 9 reorganization.

Mrs. Zwick left at 12:15 p.m., and Chris Monks returned to update the commissioners on the additional information he and Bruce Walters received regarding the FEMA funding for damages incurred during the summer storms.

Mrs. Lengel asked if the commissioners wanted her to order new chairs for their meeting room since she intended to order some for her office. The Board agreed on seven new chairs, but Mr. Burgess asked what they would do with the old ones. Mrs. Lengel suggested selling them at the townwide yard sale next September, but Mr. Piper said he would have room for another meeting table in his office after the land use administrator moves to the annex.

With no further business to discuss, Mr. Stone adjourned the meeting at 12:45 p.m. The next meeting will be at 9:00 a.m. on December 8, 2023.

Corinne M. Lengel, Clerk to the Board

Doug Stone, Chairman