

Board of County Commissioners of Lincoln County
Agenda for November 16, 2022

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Kelly Meier, Public Health Director, to present potential changes to the 2023 Public Health Budget
- 10:00 Darlene Carpio, Regional Director for Congressman Ken Buck, to provide legislative updates
- 10:30 Jeremiah Higgins, Lincoln County Assessor, to discuss a Geographic Information System
- 11:00 Public Hearing to consider the approval of the Genoa Fire Protection District Service Plan
- 1:00 Robin Halley, CSU Extension Agent, to discuss Lincoln County Extension Office matters

-To be completed as time permits-

1. Approve the minutes from the November 7, 2022, meeting
2. Review the October 2022 reports from the County Assessor, County Clerk & Recorder, County Sheriff, and County Treasurer
3. Review the October 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 Individual Road Districts
4. Review the October 2022 reports from the Colorado Counties Casualty and Property Pool and Workers' Compensation Pool
5. Review and act upon an employee credit card request for Judd Kravig
6. Review and act upon an updated job description for the Road and Bridge Maintenance Crew
7. Review board appointments for 2023
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 November 16, 2022. Chairman Doug Stone, Commissioners Ed E. Schifferns and Steve Burgess, County Administrator Jacob Piper, Clerk of the Board Corinne M. Lengel, commissioner-elect Wayne Ewing, and Limon Leader reporter Stephanie Zwick attended. County Attorney Stan Kimble attended until 12:10 p.m.

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 November 7, 2022, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

The commissioners reviewed the October 2022 Assessor's, Clerk & Recorder's, Sheriff's, and Treasurer's reports and the October 2022 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. They also reviewed the October 2022 Colorado Counties Casualty and Property and Workers' Compensation Pool reports.

Public Health Director Kelly Meier arrived at 9:30 a.m. to discuss potential changes to the 2023 Public Health budget request. She provided two options for the STEPP Coordinator's salary, stating that she would still like to make the position full-time, even though the commissioners decided against making the Emergency Manager a full-time job. Information that the state planned to provide additional CDC workforce funding over the next five years prompted the request. If approved, Lincoln County could see anywhere from \$270,000 to \$290,000 over that period. However, the county wouldn't receive the money if the commissioners chose not to make the tobacco position full-time. Mrs. Meier's other proposal was to increase the STEPP Coordinator's salary to \$23 per hour if she remained part-time. Either way, the money received from the state would fully fund the position. Mrs. Meier should know the state's decision in a couple of weeks but knew the Board would need the information as soon as possible. Even though they seemed to think the money would be long-term, the state recommended adding a stipulation that the position would return to part-time if they discontinued the funding after five years. Mrs. Meier justified the increase to full-time by reminding the Board that her department had to complete the Public Health Assessment again in 2023, which Sue Kelly had done before retiring.

Mr. Stone favored the proposal if the state approved the funding and asked if the coordinator would work in the office. Mrs. Meier said she would continue her tobacco duties from home two days each week, which she'd been doing, and would help in the office the other three days. Mrs. Meier felt the office would be overcrowded if the coordinator did all her work there. Mr. Piper asked if Mrs. Meier had a contract drawn up, and she said she would do so if the commissioners approved the request.

Mr. Schifferns moved to approve the full-time Public Health STEPP Coordinator position, provided they received total funding from the state and with the stipulation that the job would return to part-time or go away if the grant ended. Mr. Burgess seconded the motion, which carried unanimously.

Darlene Carpio, Regional Director for Congressman Ken Buck, met with the Board at 9:45 a.m. to provide legislative updates. Taylor Henderson arrived at 9:50 a.m.

Due to redistricting, Ms. Carpio said Congressional District 4 no longer included Las Animas and Baca counties and the city of Greeley but now includes Loveland and all of Douglas County. Elbert County also became part of her area. Ms. Carpio said they would move their physical office out of Greeley to Windsor because of the new boundary lines. She reminded the group they could use the congressional office as a resource if necessary and then stated the House passed Congressman Buck's Merger Filing Fee Modernization Act. The bill now goes to the Senate, where it will likely see amendments. Ms. Carpio briefly mentioned the Inflation Reduction Act and asked if the commissioners had any issues they'd like her to bring up to the congressman. No one had anything pressing, so Ms. Carpio listened while Taylor Henderson provided an update on the Arriba Wind Farm and then left when he did, shortly after 10:00 a.m.

Mr. Burgess moved to approve a county credit card with a \$500 limit for District 3 Road Foreman Judd Kravig. Mr. Schifferns seconded the motion, which carried unanimously.

The group reviewed the updated job description for Road & Bridge maintenance crew members, and Mr. Burgess moved to approve the job description, effective November 16, 2022. Mr. Schifferns seconded the motion, which carried unanimously.

At 10:25 a.m., County Assessor Jeremiah Higgins and Deputy Renita Thelen met with the Board to discuss a Geographic Information System. Mr. Higgins provided three proposals: from Sidwell for the Geodatabase Design, AutoCAD map conversion, topology, and training; Esri for an ArcGIS standard single-use perpetual license; and Tyler Technologies for software and maintenance. The only recurring costs would be to add licenses to the program as other departments accessed the system and an annual \$800 maintenance fee that replaced the yearly AutoCAD maintenance fee.

Emergency Manager Ken Stroud arrived for the discussion as Mr. Higgins commented that the prices had come down since they'd first discussed getting GIS more than five years ago.

Mr. Burgess moved to approve the \$46,440 Sidwell proposal for GIS conversion, the \$7,000 Esri quote for an ArcGIS license, and the \$4,800 Tyler Technologies quote for software and maintenance. The \$52,240 would come from the 2022 Capital Projects budget. Mr. Schifferns seconded the motion, which carried unanimously.

After Mr. Higgins and Mrs. Thelen left, Mr. Stroud said he received notification the new AEDs shipped. He promised to get the total cost to Mr. Piper and said he would hold an employee orientation when the new units arrived.

Mr. Burgess asked about the light plant, and Mr. Stroud said he'd have to take it to the city for repairs. He'd contacted Wagner Rentals, and they offered some troubleshooting ideas but didn't want to diagnose the problem over the phone when those didn't work. Mr. Stroud had also contacted Interstate Diesel, but they wouldn't work on it because of the attached generator.

Mr. Burgess said he'd written a letter to CDOT Resident Engineer Rhianna Poss, asking the state to install sixteen more prominent road signs along State Road 71 from County Road 3G to County Road 4C. Firefighters couldn't read the road sign and missed the turn when responding to the November 3 grass fire north of Limon. Mr. Stroud agreed, stating it wasn't the first time emergency personnel couldn't read one of the signs.

While reviewing the board appointments for 2023, the commissioners asked Mr. Stroud if he'd mentioned needing a replacement for Mark Morrison on the RETAC Pre-hospital board. He stated the EMS Council accepted Mr. Morrison's resignation at their last meeting and asked if the commissioners wanted their input for a replacement. The Board discussed whether the person should be a hospital employee, and Mr. Burgess said he'd ask Lincoln Health CEO Kevin Stansbury for a recommendation.

At 11:00 a.m., Mr. Schiffers moved to conduct a public hearing to consider the approval of the Genoa Fire Protection District Service Plan. Mr. Burgess seconded the motion, which carried unanimously. Other attendees were Colton Thompson with the Northeast Lincoln Fire Protection District, Hugo Fire Protection District Chief Jess Solze, Land Use Administrator Ty Stogsdill, Emergency Manager Ken Stroud, Fire Chief Tim Patton, Amy Bailey, and Brendan Houser with the Genoa Volunteer Fire Department, and proposed Genoa FPD attorney Kathryn Winn of Collins, Cole, Flynn, Winn, Ulmer.

Chief Patton provided their reasons for forming a fire district, stating they currently run on roughly six-to-seven thousand dollars a year, primarily from fundraisers and donations. Their old and outdated equipment relies mainly on donated parts and labor to fix it. The town of Genoa owns the fire station, and it and the county provide vehicle storage. Forming a district funded through taxes would provide constant income for vehicle maintenance and repairs or new equipment, gear, and firefighter training. It would open doors for state and federal grant funding and better serve the residents in the district. Becoming a district could lower its ISO rating, providing insurance cost savings to residents. Lastly, Chief Patton said becoming a district would give countywide fire protection district coverage as theirs was the only land not included in a fire district.

Kathryn Winn spoke about the commissioners' approval of the Service Plan, listing the requirements the district met before bringing the subject to the Board. They provided public

notice, certified mailings to all property owners within the proposed district, the required publications, and the Service Plan to DOLA. One landowner requested exclusion if the commissioners approved the Service Plan, and Ms. Winn said the Board could approve or deny the request.

Mr. Kimble wanted to know what fire protection districts surrounded the proposed district: Limon, Northeast Lincoln, and Hugo. He asked if the proposed district were all the remaining land not currently included in a fire district, and Ms. Winn said that was correct. She noted that approving the Service Plan didn't automatically form the district; the court would have to order an election, and the voters would make that decision. They're asking for a tax increase of 3.5 mills, bringing in roughly \$100,000 per year starting in 2024.

Mr. Burgess asked whose responsibility it was to pay for the election, and Ms. Winn said it was the petitioners' responsibility. Mr. Burgess asked Mrs. Lengel about a special election, and she responded that if the proposed district had to coordinate with the County Clerk, which she understood was the case under Title 32, they wouldn't hold an election until next November.

Mr. Kimble wanted to know if they planned to build a new fire station, and Chief Patton said it would be part of their plan but not immediately. They hoped to get established with better equipment and vehicles before moving on to a building. Mr. Kimble asked if they were starting with proposed indebtedness, but the chief said they were not. He added that they were also not currently qualified to provide medical services but might one day and planned to keep the option open.

Ms. Winn said the fire district board would consist of five members on staggered four-year terms, and the electors would vote on those members while they voted on the district's formation.

When asked about the proposed district's boundaries, Chief Patton said they follow the old Genoa School District's.

Wayne Ewing asked to hear from Colton Thompson and Jess Solze, and both recommended approval.

Mr. Piper asked if the action required a resolution, and Mr. Kimble said it did. Ms. Winn had prepared a resolution, but since Mr. Piper didn't have it on the county's form, Mr. Kimble noted the Board could make their decision and sign it later.

Mr. Burgess moved to adopt a resolution approving the proposed Genoa Fire Protection District Service Plan as presented, having met all statutory requirements, and to deny the Phillipson, LLC, district exemption request. Mr. Schiffers 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 November 16, 2022, there were present:

Douglas D. Stone, Chairman	Present
Ed Schiffers, Vice Chairman	Present
Steve Burgess, 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 #1078 It was moved by Commissioner Burgess and seconded by Commissioner Schiffers to adopt the following resolution:

A RESOLUTION TO APPROVE THE SERVICE PLAN FOR THE GENOA FIRE PROTECTION DISTRICT

WHEREAS, the Board of County Commissioners of the County of Lincoln, State of Colorado (the “Board”), is vested with administering the affairs of Lincoln County, Colorado (the “County”), pursuant to state statutes; and

WHEREAS, pursuant to the provisions of the Special District Control Act, Part 2 of Article 1, Title 32, C.R.S., a Service Plan for the Genoa Fire Protection District (“District”) in Lincoln County, Colorado was filed by the petitioners therefor (the “Petitioners”) on September 30, 2022 (the “Service Plan”); and

WHEREAS, pursuant to Sections 32-1-202(1) and 32-1-204(1), C.R.S., the Board scheduled a public hearing on the Service Plan to be held at 9:30 a.m. on October 28, 2022 (the “Public Hearing”); and

WHEREAS, notice of the date, time and location of the Public Hearing was published in the Eastern Colorado Plainsman, a newspaper of general circulation, on October 20, 2022 and was provided to the Petitioners, the governing body of each municipality and of each special district which had levied an ad valorem tax within the next preceding tax year and which had boundaries within a radius of three miles of the District, pursuant to Section 32-1-204(1), C.R.S., and to property owners within the proposed District boundaries, pursuant to Section 32-1-204(1.5), C.R.S.; and

WHEREAS, in accordance with County policy, the Service Plan was not referred to the planning commission; and

WHEREAS, on November 16, 2022, the Board held the Public Hearing and reviewed the Service Plan; and

WHEREAS, the Board has fully considered the Service Plan and all testimony and other

evidence presented to it at the Public Hearing.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County:

Section 1. The recitals set forth in this Resolution are incorporated herein by reference.

Section 2. The Board hereby determines that all of the jurisdictional and other requirements of Sections 32-1-202 and 32-1-204, C.R.S., have been fulfilled, including but not limited to all requirements relating to the filing and form of the Service Plan, the form and publication of the public notice of the hearing on the Service Plan and the type of public hearing held herein.

Section 3. Based upon the information contained in the Service Plan and evidence presented to the Board at the Public Hearing, the Board hereby finds and determines as follows:

- A. There is sufficient existing and projected need for organized services of the nature proposed in the Service Plan in the area to be serviced by the proposed District.
- B. The existing services in the area to be served by the proposed District are inadequate for present and projected needs.
- C. The proposed District is capable of providing economical and sufficient services to the area within its proposed boundaries.
- D. The area to be included within the proposed District will have the financial ability to discharge the proposed indebtedness on a reasonable basis.
- E. Adequate services are not and will not be available to the area through the County, the City of Genoa, or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis.
- F. The facilities and service standards of the proposed District are or will be compatible with the facility and service standards of the County and each municipality which is an interested party under Section 32-1-204(1), C.R.S.
- G. The Service Plan is in substantial compliance with the County's Master Plan.
- H. The proposal is in compliance with any duly adopted County, regional, or state long-range water quality management plan for the area; and
- I. The creation of the proposed District is in the best interest of the area proposed to be served.

J. The creation of the proposed District is in the best interest of the residents and future residents of the area proposed to be served.

Section 4. The Clerk to the Board is hereby directed to advise the Petitioners in writing of this action and to attach a certified copy of this Resolution for the purpose of including it with the Petition for Organization.

Section 5. All Resolutions, or parts thereof, in conflict with the provisions hereof, are hereby repealed to the extent of such conflict only.

Section 6. This Resolution, immediately upon its passage, shall be authenticated by the signatures of the Board of County Commissioners and the Clerk to the Board of County Commissioners and sealed with the corporate seal of the County.

Section 7. This Resolution shall take effect and be enforced immediately upon its approval by the Board.

Upon roll call the vote was:

Commissioner Schiffers, Yes; Commissioner Burgess, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

ATTEST:

Clerk of the Board

After the group left, Land Use Administrator Ty Stogsdill stayed to discuss the previous night's land use board meeting. The board accepted the proposed subdivision regulations with minor, mainly typographical, changes. Mr. Kimble said once Mr. Stogsdill made those corrections, they would need to publish the hearing notice two weeks before the hearing. Mr. Stogsdill promised to complete them by Friday.

One member also wanted to change the provisions for special use permits in the solar regulations to include using NRCS scores for highly erodible soil areas. Curt Dutro felt they should deny solar farms in areas with heavy soil erosion because water could run off the solar panels and erode surrounding properties. Mr. Stogsdill said solar companies had noted they wouldn't install the panels on a particular grade, although he didn't think they'd set it yet. He contacted NRCS earlier this morning to get things moving.

The group broke for lunch at 12:15 p.m.

CSU Extension Agent Robin Halley met with the Board at 1:00 p.m. to discuss extension office job descriptions and future plans. He took a job in Morgan County and said his last day was December 16. He planned to talk to Dennis Kaan, the eastern regional director, about rehiring an extension agent for Lincoln County. In the meantime, another option would be to give the job to current personnel. If the commissioners wanted to do that, Mr. Halley recommended combining the director with the 4-H position. However, the current 4-H director would probably have to go to forty hours instead of thirty-five. He didn't want to see a regression wherein employees earned too many comp hours, something he'd worked diligently to resolve in his time as Extension Agent. Mr. Halley suggested the commissioners move forward with job descriptions they felt were suitable for Lincoln County, and if current personnel fit that mold, fine. If not, they could rehire.

Mr. Burgess said there was a time when CSU wouldn't put an agent in Lincoln County, and the commissioners had to agree to pay a portion of Travis Taylor's salary to get CSU to allow it.

Mr. Halley said the director position required a master's degree, and Mr. Stone asked if every county had to have a CSU Extension Agent. Mr. Halley told him that 4-H belongs to CSU, so kids would be ineligible for certain competitions at the state fair if there were no agent. He added they get funding from NAFTA, but the county demographics unfairly included prison; they don't offer 4-H services at the prison. Mr. Stone asked Mr. Halley if he had current job descriptions, and he said he would rework them and contact Dennis Kaan. Mr. Burgess told Mr. Halley the preference would be for CSU to rehire a director, but if not, the county would consider paying a portion of the salary or benefits.

Mr. Halley left, and Mr. Burgess reported texting questions about the bridge to Martin Merklinger on November 7. He talked to Bruce Walters on November 8 and met with Mr. Piper about the following day's presentation. On November 9, Mr. Burgess presented the county's information for the off-system bridge program funding to CCI via Zoom. Mr. Stone, Mr. Piper, and Chris Monks also attended the presentation. Mr. Burgess went to Fort Morgan for the Centennial Mental Health meeting on November 10. He also heard from Eric Bergman with CCI that the county would have to pay Davis Bacon wages to county personnel working on the bridge if the county received state funding. He attended a Baby Bear Hugs Zoom meeting on November 14, where they discussed the 2023 minimum wage increase. Mr. Burgess spoke with Bruce Walters about hauling gravel from the Collie pit. On November 15, he attended the Resources Unlimited meeting, talked to Mr. Walters again, and worked on the letter to CDOT requesting new road signs on State Road 71 north of Limon to the county line. Mr. Burgess attended the Economic Development meeting at Mountain View Electric earlier this morning.

Mr. Schiffers stated he'd forgotten his appointment book but didn't have much to report other than the road crew was still winterizing, graveling, and mowing.

Mr. Stone reported attending the fair board meeting on November 8. They discussed the lighting requested by John Palmer and a new heater for the Ellis Allen building. Mr. Stone attended the bridge funding request presentation at the courthouse on November 9. He checked on roads in western District 3 and the bridge detour on November 10 and called the other commissioners and Mr. Piper about ordering waders for the road crew. A motorist passing one of their leased tractors kicked up a rock and broke the windshield. They started tearing out the bridge railing on November 14 and the deck and stringers on the Fifteenth.

Mr. Piper reported that county auditor Ronny Farmer told him the county could use Capital Projects funds for Road & Bridge projects if necessary. Regarding the 2023 budgets, Mr. Piper asked if the commissioners had further considered putting additional money toward the roundhouse. Mr. Burgess thought they should wait and see how much, if any, grant funding they received for the bridge.

Mr. Piper recently learned that the county has access to a law firm through CTSI, which offers thirty minutes of free consultation. He used it to ask about the COVID-19 leave through the Healthy Families and Workplaces Act. He learned the law now required counties to provide eighty hours of COVID leave to every full-time employee until the Public Health Emergency ends, possibly sometime in February. Governments were exempt from the law in 2020 and 2021. Mr. Piper said if department heads made employees use sick time for COVID-related illnesses for themselves or family members since the first of the year, they would need to return those hours to the employee(s)'s sick leave bank. Allowable reasons were COVID illness, quarantining or isolating, testing, vaccination and side effects, inability to work due to health conditions, and COVID-related needs of family members, including school closures. Department heads and supervisors could not require documentation from employees showing their leave was for PHE-related needs.

Mr. Stone called for old or new business, and Mr. Burgess mentioned that Public Health employees seemed to receive excessive mileage reimbursements, especially when they have a reasonably new county vehicle to use. He said the Board brought it up in the past and felt it was worth mentioning again.

The group set meeting dates through February 2023, and then Mr. Schifferns asked Mrs. Lengel if she'd heard anything further from the contractor regarding the election security room. She'd emailed the server specs to Wayne Nestor, but he was hunting, so he hadn't looked at them yet. Multicard sent an invoice for 50% of the surveillance/access control project they approved, so the commissioners would see it come through with the December AP requests. Mrs. Lengel hadn't heard anything further from Doug Ratzlaff, but he'd told her he wouldn't have time to stop by until December. She didn't know if that meant the first of the month or the last. Mr. Burgess said he'd ask Robert Safranek to look at it and put together specifics for the bid request, which they should publish sometime in December or early January. He asked if building the meeting room in the empty alcove was still an option, and Mrs. Lengel said she hoped so, but her priority was securing the election equipment. If the commissioners decided against building the meeting room, she thought they should consider enclosing the bathroom

and kitchenette in the lounge. Mr. Burgess still wanted to close the open space with a garage door to keep the birds and debris out, and Mrs. Lengel told him whatever they installed would require an exit for her staff since their back door is an emergency exit. She also asked that whatever they installed be pleasing to the eye to maintain the building's aesthetics.

With no further business to come before the Board, Mr. Stone adjourned the meeting at 2:40 p.m. The next meeting is at 9:00 a.m. on November 29, 2022.

Corinne M. Lengel, Clerk of the Board

Doug Stone, Chairman