

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

- 9:00 Call to order and Pledge of Allegiance
- 9:30 Review and act upon proposed Resolution #1075: A Resolution authorizing a Supplementary Budget Appropriation for the Human Services Fund
- 10:00 Tom Nestor, Lincoln County Sheriff, to discuss Sheriff's Office matters
- 10:30 Kevin Stansbury, Lincoln Community Hospital CEO, to provide an LCH monthly report
- 11:00 Chris Monks, District One Road Foreman, to discuss Road & Bridge matters
- 11:30 Tony Wernsman, with W.W. Enterprises, to discuss a potential election security room

-To be completed as time permits-

1. Approve the minutes from the October 6, 2022, meeting
2. Review the September 2022 reports from the County Assessor, County Clerk & Recorder, County Sheriff, County Treasurer and Public Trustee
3. Review the September 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 September 2022 reports from the Colorado Counties Casualty and Property Pool and Workers' Compensation Pool
5. Review and act upon a proposal from RockSol Consulting Group, Inc. regarding an off-system bridge program funding application
6. Review updates to the 2023 Preliminary Budgets
7. County Commissioner reports
8. County Attorney's report
9. County Administrator's report
10. Old Business
11. New Business

The Board of Lincoln County Commissioners met at 9:00 a.m. on October 18, 2022. Chairman Doug Stone, Commissioners Ed E. Schifferns and Steve Burgess, County Administrator Jacob Piper, and Clerk of the Board Corinne M. Lengel attended. County Attorney Stan Kimble attended until 2:30 p.m., and Limon Leader reporter Stephanie Zwick attended until the group broke for lunch at 12:20 p.m.

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

Mr. Burgess moved to approve the minutes from the meeting held on October 6, 2022, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

The Board reviewed the September 2022 reports from the Assessor, Clerk & Recorder, Sheriff, and Treasurer, and the third quarter Public Trustee's report. The commissioners also reviewed the September 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.

While reviewing the September 2022 Colorado Counties Casualty and Property and Workers' Compensation Pool reports, Mr. Piper said the liability report included the two patrol vehicles. He thought the insurance company totaled both.

At 9:30 a.m., Mr. Burgess moved to adopt a resolution allowing a supplemental appropriation to the Human Services 2021 budget. Mr. Schifferns seconded the motion, which carried unanimously. Mr. Piper said the unanticipated revenue was from paying maximum benefits to clients because of the Public Health Emergency.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado, held in Hugo, Colorado, on October 18, 2022, there were present:

Douglas D. Stone, Chairman	Present
Ed E. Schifferns, 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 #1075 It was moved by Commissioner Burgess and seconded by Commissioner Schifferns to adopt the following resolution:

WHEREAS, C.R.S. §29-1-109(1)(b) allows supplementary budget appropriations by the governing body when unanticipated revenues not assured at the time of the adoption of the

budget are received from any source other than the local government's property tax mill levy; and

WHEREAS, Lincoln County Human Services Fund received funds of \$1,563,960.00 in unanticipated revenues which were used to pay \$1,563,960.00 in general operating expenses; and

WHEREAS, Lincoln County Human Services Fund has unappropriated fund balances and sufficient cash to meet its expenses; and

WHEREAS, this income was not anticipated at the time of the preparation of the 2021 budget; and

WHEREAS, whatever increases were made in the expenditures, like increases were added to the revenue so the budget remains in balance as required by law.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County, Colorado, that \$1,563,960.00 be appropriated into the 2021 Lincoln County Human Services Fund budget.

BE IT FURTHER RESOLVED that the 2021 Lincoln County Human Services Fund budget be increased by \$1,563,960.00, thus making the total Lincoln County Human Services Fund budget \$4,331,119.00.

Upon roll call the vote was:

Commissioner Stone, Yes; Commissioner Schifferns, Yes; Commissioner Burgess, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

ATTEST:

Clerk of the Board

Mr. Stone tabled agenda item five until Chris Monks' appointment, so Mr. Piper provided updates on the proposed 2023 budget. He commented that since he'd come to work for the county, the intention was that annual operations in the General Fund would affect the fund balance by \$1 million. With the current budget requests, 2023 would more than double that

amount. Of the sheriff's half-a-million-dollar requested increase, \$300,000 was for salaries. Other increases affecting the difference were salaries in other departments, CAPP and Workers' Comp insurance, and the emergency manager's request to become full-time. Mr. Piper added that removing the twelve-mill tax credit would cover the extra \$1 million but would not cover the full \$2.2 million that is budgeted to come out of the fund balance for 2023. The only reason the numbers looked better for 2022 was that the hospital returned \$800,000 of the county's million-dollar loan.

Sheriff Tom Nestor, Undersheriff Gordon Nall, and Jail Captain Michael Yowell arrived at 9:40 a.m. The group discussed the necessity of a full-time emergency manager and how to structure the position if the commissioners agreed to Ken Stroud's proposal. The Board felt the job should fall under the sheriff's supervision rather than the commissioners' since the two departments work closely together.

Mr. Stone asked about security and video surveillance for the county shops, and Sheriff Nestor said cameras and lighting are critical these days. He felt they should use the same system in all three road districts and offered to check into what might work the best, although his preference was Ring. He suggested adequate lighting and four-to-six cameras in each location as long as they had decent internet connections. Sheriff Nestor said they could put the cameras on a schedule and monitor them from dispatch.

When Mr. Burgess asked for an update on vehicles, the sheriff said they'd meet with the insurance adjustor regarding Deputy Hutton's SUV later in the day. He asked to keep the Tahoe they planned to take offline if the insurance company totaled all three vehicles, and the Board agreed.

Lincoln Community Hospital CEO Kevin Stansbury met with the Board at 10:30 a.m. He provided the monthly financial reports and said they planned to start community meetings regarding the new hospital. Unfortunately, rising inflation and interest rates, combined with their reduction in debt capacity, made building the facility now unfeasible. Their last cost estimate was \$78 million, and Mr. Stansbury said there was a possibility of another two interest rate increases before the end of the year. Hence, it was best to step back and reevaluate. He felt a more realistic approach was waiting until 2024 to resume the project.

Land Use Administrator Ty Stogsdill arrived at 10:50 a.m. and said he was there for the meeting with Chris Monks. However, while he waited, he informed the Board that Anthony Johnson, the gentleman with the property on State Road 71, hadn't followed the fire mitigation condition the commissioners placed on his development permit at the June 29 hearing. Mr. Stogsdill shared a letter he planned to send to Mr. Johnson, informing him the county would take action if he didn't correct the problem in thirty days.

Mr. Stogsdill also provided a map of the proposed Scout Energy solar farm off County Road 2W and Highway 63. He wanted to know if the county had adopted 1041 regulations, but Mr. Kimble told him it had not.

When Chris Monks arrived, the group discussed contracting for more fuel since the price was rising again. He'd locked in six loads at \$3.24 a gallon and asked what to do if it went lower. Mr. Stone told him not to wait until December but to lock in another six loads if it was under \$4 a gallon.

Mr. Monks reported they'd had flagging class the previous day and wouldn't need it again for two years. He planned to set up miner safety training for new employees when things slowed down and said there would be a refresher course next March. They were doing truck inspections the following day.

Mr. Monks wanted to discuss the ongoing effects on county roads from the wind farm and potential solar farm traffic. He's seen two-to-six Vesta company pickups daily, often six or seven days a week, traveling down County Road 2W. Although he wasn't sure where they were going, Mr. Monks assumed it was the wind towers. He asked if there was something the county could add to the Road Use Agreement for traffic once a company completed a project. Traffic on 2W had almost quadrupled from the fairgrounds to County Road 45, and they needed help fixing roughly three of the eleven miles. Spending so much time on County Road 2W meant they'd neglected "more public" roads. Mr. Kimble said if they could establish an average use increase, the law might give the county the right to impose other regulations, such as requiring companies to restore the roads to "better than original" condition. He added that Weld County might have some guidelines and offered to contact the county attorney. Mr. Stone commented that when the oil companies worked north of Elizabeth in Elbert County, they improved the roads they used, sometimes even paving them.

Mr. Stogsdill asked if the county could require Road Use Agreements for every company involved in a project, even after the construction phase. Mr. Kimble said the agreement always included a haul route the construction company agreed to follow, but the truck drivers tended to do whatever they wanted.

The Board reviewed the RockSol Consulting Group, Inc. Scope of Work to prepare the off-system bridge program funding application for the bridge on County Road 109 south of Hugo. Mr. Schifferns moved to approve the \$4,535.30 cost for preparing the grant application, and Mr. Burgess seconded the motion, which carried unanimously.

After discussing that a stipulation of the Scope was to participate in a pre-application meeting with CDOT, Mr. Piper called Martin Merklinger with RockSol to verify when it would occur and who needed to attend. Mr. Merklinger said it could be a virtual meeting and asked that a commissioner and Mr. Monks attend. They set the meeting for October 20.

Mr. Monks asked if the cost estimate for the bridge repairs included the price of building the detour and if it would be a problem that the bridge's location is in wetlands. Mr. Merklinger said he added in the cost, and since the detour would be a temporary feature, the area shouldn't be a problem.

After the call, Mr. Monks asked if the districts could pool their trucks for two or three days to work on County Road 2W. The commissioners agreed, but all said they wanted to finish mowing operations first.

At 11:45 a.m., Tony Wernsman with W.W. Enterprises met with the Board to discuss a potential election security room. He had contacted an architect who conducted a preliminary code study on the egress adequacy based on occupancy. Where Mr. Wernsman had used Group A for his research, Kyle Hanson with Sun Mountain Design Group used Group B, which allowed for one hundred feet instead of seventy-five. Mr. Wernsman felt it made the project doable, although he understood from Mrs. Lengel that she might have other plans.

Mrs. Lengel explained that she'd looked for other options when Mr. Wernsman said they probably couldn't use the alcove. She and her staff reviewed the new law and Secretary of State rules regarding voting system security and learned they would need to store the server separately from the other equipment. Since all voting system components must be under 24-hour video surveillance in an area accessed strictly by keycard, building a small server room within a room seemed the best option. After considering the size of the alcove compared to the commissioners' meeting room and lounge, Mrs. Lengel said they wouldn't be able to fit everything into the alcove after all. She asked Holly Booker with Multicard (the company the sheriff uses for key card access and surveillance equipment) to do a site visit and provide estimates for the key card and surveillance systems, including video storage. Ms. Booker used the meeting room and lounge as her basis for the quotes.

Mrs. Lengel said she tended to look to the future and what might benefit the courthouse in ten or twenty years. Her idea was to move forward with building a room in the alcove because she still needed a place for election judges to open and process paper ballots. While they could use the secure equipment area to scan the ballots, it didn't give them enough room for opening and processing. Mrs. Lengel said she hated the thought of her office "taking over" so much of the courthouse, leaving the commissioners without a meeting room, employees without a lounge, and the janitor without a workspace. She proposed making the alcove into a meeting room that all county organizations and employees could use but that the election judges could still utilize for ballot processing. Mrs. Lengel produced a drawing of the proposed meeting room and explained that only two doors (the outer exit on the current commissioner room and the exterior door of her office) would need the required keycard access. She explained that it could become the commissioners' meeting room and ballot processing area, but there were other unlimited possibilities for its use. Land Use and Lodging/Tourism Board meetings, employee CTSI and Road & Bridge training, presentations or meetings with AFLAC or CRA representatives, Public Health employee flu shot clinics, and OEM or DHS meetings were a few. The county auditor could also use it during the audit week since he required a large table for his workspace.

Mr. Wernsman noted that if they went forward, they would have to determine if they could move the fire suppression system's blowout. Mrs. Lengel said Nebraska Fire and Safety was out the previous week, so she asked one of their crew if moving it was possible. He told her they could definitely reroute it to the parking lot, but it wouldn't be cheap.

Mr. Burgess commented that the entire project would be pretty costly, but Mr. Wernsman said if they ever planned to do anything with it, sooner rather than later was better because costs wouldn't decrease. Mrs. Lengel noted that they could make do with the absolute minimum requirements, but it would be better to build something they could use for many years. She added that, unfortunately, the requirements for elections would only become more stringent as time passed.

Mr. Wernsman asked if he could do anything else to help at this time, such as calculations on installing roof beams and removing the columns supporting the existing roof, and the Board told him to go ahead. Mr. Burgess told Mrs. Lengel to see if she could get cost estimates for her two ideas.

The discussion returned to the 2023 proposed budget, with Mr. Piper saying he anticipated the 2022 Road & Bridge fund balance to go from \$2.28 million to \$2.31 million. The highest increase in 2023 would be the salaries, and even though the projection was that the Highway Users' money would go up, it would still be less than in 2021. Mr. Piper said all of the other funds appeared to be okay.

Mr. Burgess reported stopping at the Genoa shop after the commissioner meeting on October 6, where he talked to Bruce Walters about security cameras and lighting. He contacted Jim Shideler about installing motion detection lights. Mr. Burgess participated in a Zoom meeting to discuss potential legislative bills in 2023 with CCI on October 7. Linda Orrell called Mr. Burgess on October 11 to say she wanted to give up her position on the Lodging/Tourism Board. She had a replacement in mind. Mr. Burgess told her the commissioners typically handle board replacements at the January re-organization meeting if that would work for her. Mr. Burgess talked to Bruce Walters, who told him the road crew cleaned the deck on the bridge on County Road 38 south of County Road 3X so they could do asphalt repairs. Mr. Burgess looked at the bridge and area on October 12. On October 13, Mr. Burgess attended the Centennial Mental Health meeting in Fort Morgan. He also got a quote for a new tractor. They want to trade in their John Deere for a Case IHC, a difference of almost \$60,000. He and Bruce Walters discussed the trade again on October 17. The District 2 road crew attended flagging training in Hugo that afternoon. Mr. Burgess spoke with County Treasurer Jim Covington about the best time to make large payments, and Mr. Covington felt March or April would be best. Mr. Burgess called Mike Vaughn to discuss their tractor deal, and he agreed to the trade, with the remainder of the payment due April 1, 2023. Mr. Burgess went by the landfill and talked to Allen Chubbuck. They discussed where to get more dirt for cover. Mark McMullen with American Environmental Consulting planned to be out on October 20, so Mr. Burgess said he hoped to discuss the issue with him.

Mr. Schifferns reported having a training session with the new District 1 employee on October 10. He checked roads on October 11; the road crew mowed along south 109. On October 12, Mr. Schifferns talked to Chris Monks about the damaged areas of County Road 2W. They also discussed the effects of drought and truck traffic on the county roads. Mr. Schifferns checked

roads again on October 14 and spoke with Mr. Monks about the bridge south of the courthouse. The road crew attended a flagging class on October 17.

Mr. Stone said he'd stopped at the Karval shop on October 11. They had a tractor damaged by a rock that broke the glass, so they ordered a replacement. Mr. Stone attended the Southeast and East Central Recycling meeting on October 12. He reported that the director planned to retire. They also discovered that the new tractor had fumes in the cab. They checked the exhaust but couldn't find the problem, so they contacted the dealer, who told them to try running it without a trailer because the exhaust was underneath. Mr. Stone spoke with Chris Monks about the broken tractor glass on October 13. A resident called him on October 14 to complain about the weed piles along one of the county roads in District 3. On October 17, Mr. Stone spoke with Mr. Burgess. He also had a call from the undersheriff that the person complaining on the Fourteenth had gone into the sheriff's office to lodge the same complaint.

Mr. Kimble reported that he'd heard nothing further regarding an appeal in the landowner dispute, and if nothing happened by November 4, it would be too late. As for the proposed Genoa Fire Protection District, Mr. Kimble stated that November 10 was the last day for landowners to submit letters before the November 16 commissioner hearing. Mrs. Lengel asked if he'd heard anything about coordinating their election with the county clerk because she'd heard nothing from them. He said he hadn't but thought they had to if they requested a mill levy.

Mr. Kimble said that the time had passed for adopting the subdivision regulations, so the commissioners might have to extend the moratorium. He met with Ty Stogsdill and John DeWitt about the proposed regs from 2014, and Mr. Kimble had made several changes. He said that Bob Safranek expressed at one time that the county didn't want to encourage development in areas that didn't have proper resources, like water, and that the commissioners should push more toward development in the municipalities. On the other hand, Mr. Kimble thought it might not hurt to have the information in the regulations. He said they would let the Land Use Board decide at the meeting on November 15, and the commissioners could have the public hearing at their first December meeting, which is the Eighth.

Mr. Kimble had spoken with an investigator regarding the incident at the county fair parade and said he'd keep the commissioners informed. He'd also sent them a copy of the complaint on the property in District 2 and said they could change the case to district court if necessary.

Mr. Stone asked about Chris Monks' comments regarding county road usage after a company finished a project and felt the county couldn't put any further stipulations on pickups, especially on public roads. Mr. Kimble agreed, and Mr. Burgess said it would be difficult to add something that hadn't been in the original road use agreement.

Mr. Piper reported discovering an issue with the county's retirement plan; the new company calculated two previous employees' payments based on the old vesting schedule. Mr. Piper asked if the commissioners wanted the company to recalculate the payments using the new

vesting schedule or leave it as is. Mr. Burgess asked if it would benefit the employees to switch to the new schedule, and Mr. Piper said it would; however, it would cost the county a little more. The commissioners agreed that since they'd adopted the new schedule, the retirement company should use it and pay the two employees what the county owed them.

Mr. Piper asked if the Board wanted him to order longevity pins again for the employees, and Mr. Burgess told him to order them and the traditional Christmas hams.

Mr. Burgess asked Mr. Kimble if the commissioners could have the emergency manager fill out daily activity log sheets, and Mr. Kimble said it was certainly within their power. The Board agreed to have Ken Stroud discuss it with them at the next meeting.

With no further business to come before the Board, Mr. Stone adjourned the meeting at 2:50 p.m. The next meeting will be at 9:00 a.m. on October 28, 2022.

Corinne M. Lengel, Clerk of the Board

Doug Stone, Chairman