

Board of County Commissioners of Lincoln County
Agenda for September 18, 2013

9:00 Call to order and Pledge of Allegiance

10:00 Kim Schallenberger, Plains to Peaks Retac Regional Coordinator, and Chairman Rob Handley to present and request approval of the revised Intergovernmental Agreement for the Plains to Peaks Retac and the Fiscal Year 2014 Biennial Plan

10:45 Human Services employee Robert Kraxberger will conduct training on how people apply for services

11:15 Human Services Director Colette Barksdale to present the 2014 budget request for the department

1:00 The Road & Bridge foremen and Weed Coordinator Wayne Shade to discuss issues with weeds on the county rights-of way. The road foremen will discuss the courthouse parking lot and then work on the 2014 budget with the Commissioners

2:30 Public Health Director Sue Kelly to give her monthly report and present the Public Health Improvement Plan

1. Approve the minutes from the September 6, 2013 meeting
2. Review a letter from Attorney Philip Cherner, and the response, requesting records on any costs the county offices incurred concerning Nathan Dunlap
3. Review a letter from the office of Anderson Whitney, certified public accountants, concerning the peer review rating of pass conducted on county auditor Ronny Farmer
4. Review the August reports from the County Clerk and the Sheriff
5. Review the August reports of revenues and expenditures for County General, Public Health, Capital Projects, Conservation Trust, Lodging/Tourism, E911, Landfill, Library, Road & Bridge and the individual road districts
6. Review and approve the Emergency Management Planning grant for the period of October 1, 2013 through September 30, 2014 for an amount not to exceed \$9,350
7. County Commissioners' reports
8. County Administrator's report
9. County Attorney's report
10. Old business
11. New business

The Board of Lincoln County Commissioners met at 9:00 a.m. on September 18, 2013. The following attended: Chairman Ted Lyons, Commissioners Greg King (until 3:00 p.m.) and Doug Stone, County Administrator Roxie Devers, and Clerk to the Board Corinne M. Lengel. County Attorney Stan Kimble attended from 1:00 p.m. until 1:45 p.m.

Chairman Lyons called the meeting to order and led the Pledge of Allegiance, and then asked for a correction to the minutes from the meeting held on September 6, 2013, concerning the damage to the road Jay Jolly asked him to check on. Mr. King made a motion to approve the minutes, as corrected. Mr. Stone seconded the motion, which carried unanimously.

The Board reviewed a letter from Attorney Philip Cherner, and the response, requesting records on any costs the county offices incurred concerning Nathan Dunlap, and a letter from the office of Anderson Whitney, certified public accountants, concerning the peer review rating of "pass" conducted on county auditor Ronny Farmer. Also reviewed were the August reports from the County Clerk, Assessor, and Sheriff, and the August reports of revenues and expenditures for the County General, Public Health, Capital Projects, Conservation Trust, Lodging/Tourism, E911, Landfill, Library and Road & Bridge funds, as well as the individual road districts.

Mr. King made a motion to approve the Emergency Management Planning grant for the period of October 1, 2013, through September 30, 2014, for an amount not to exceed \$9,350. Mr. Stone seconded the motion, which carried unanimously.

Mr. Stone reported checking roads north of Karval on September 10 and attending the fair board meeting that evening. He stated there really were no complaints regarding fair, and Mr. Lyons spoke up to say that there was discussion by some members of the board regarding how much the county is actually getting out of the rodeo for how much it costs, but other board members did not want to see it taken away. They also discussed the fact that the rodeo stock never seems to be as good as it could be, as the contractor supplies stock for several other rodeos on the same day. It was the consensus that they look on the website to see if they could find a different contractor and that they should start looking earlier in the year. Mr. Lyons said the group was also planning to institute a policy where generators would not be allowed to run in the camping areas after 10:00 p.m., as there were some noise complaints on the issue. Mr. Stone added that there was also discussion regarding adding another horseracing category, as there were some five-year olds wanting to compete, but they didn't want to put them in the class with the older kids. Travis Taylor would like to pay the judges and superintendents more as he is having a hard time getting anyone who is willing to do it. Ms. Devers said that Travis will bring it up during his budget hearing on Friday. Mr. Stone said the last item relating to the fair board meeting was that Travis was going to call some places and find out prices for buildings. He had a phone call from Dale Toft asking the price of gravel, and reported that the Karval area received anywhere from three-to-ten inches of rain on September 12. He checked roads on the Thirteenth and six culverts were washed out; two of which they still haven't found down by County Road 63. One road is still closed. On the Sixteenth, he met David Seymour at the Karval shop to discuss some of their record-keeping processes, and on September 17, he attended the Resources Unlimited meeting at the DHS office. Melody Bolton

mentioned that there was a rumor of another 200 wind towers going in north of Arriba. Ms. Devers said that John DeWitt had not received any confirmation of that. Lastly, Mr. Stone said he'd had a call from Clarene Durham, who wanted to know which newspaper the county uses for its legal publications, as she felt they should be in both the Limon Leader and the Eastern Colorado Plainsman. Ms. Devers informed Mr. Stone that the county switches papers every year and this year the legal paper is the Plainsman.

Mr. King reported checking on roads around Arriba and Genoa on September 12, and also speaking with Mark McHone. Amy Vice had called in a complaint about rocks on the road south of Gary Beedy's place, so Mark checked into it and said they were not large rocks, but there were definitely rocks there. Mr. King said they had received another complaint about County Road 109, and they are scheduled to patch it this week. He added that there is nothing they can do about the rocks unless they set up a screen, which then requires MSHA regulations be met, so the best they could do was to caution people to slow down. On September 16, Mr. King attended the Economic Development meeting.

Mr. Lyons reported attending the fair board meeting on September 10, and checking roads on September 13 after the rains, to assess damages. He said there was some wash-out on County Road 63, but Chris Monks was working on it. He added that Jay Jolly had called and thanked him for taking care of the road damage he had reported and wanted him to pass the word on to Chris.

Land Use Administrator John DeWitt stopped in to discuss a grant for the purchase of bicycle helmets for the local bike rodeos next year. He was approached at the Drive Smart meeting to apply for the grant, stating that the cost would be paid up front, and then reimbursed 100%. There are approximately 150 kids in grades K-6 who would benefit, and he estimated the cost of helmets to be between \$2,500 and \$3,500. First, he said, he would have to be approved for the grant, but wanted to mention it to the commissioners. Ms. Devers suggested contacting Wiepking-Fullerton instead, as they like to do things for the communities, especially when it involves children. She added that it may be possible that Alco, or one of the other local stores, would give a price break if there were numerous helmets being ordered. Mr. Lyons asked him if there were any new oil permits and Mr. DeWitt responded that he had done two, and they had re-staked the Jamaco and Hoffman gravel pits the previous day and are just waiting on the permit approval.

Ms. Devers reported that a new Outback Express bus will be purchased this year and Lincoln County's share will be \$12,206.40. When people use the bus, they pay a fee that is put into the vehicle replacement fund, and there is currently \$552.14 in the Arriba fund and \$6,495.69 in the Hugo fund. Since the county actually budgeted \$6,300 for the replacement, Ms. Devers asked the Board if they would like to use that amount plus the Hugo amount and leave the Arriba money where it was, or how they wanted to proceed with the purchase. The commissioners agreed that she could just tell them the county would pay \$6,300 and they could decide where to take the remaining \$5,906.40 from.

At that time, Kim Schallenberger, Plains to Peaks Retac Regional Coordinator, and Chairman Rob Handley met with the Board to present and request approval of the revised Intergovernmental Agreement for the Plains to Peaks Retac and the Fiscal Year 2013 Biennial Plan. Mark Morrison and John DeWitt were in attendance, as well.

Mr. Schallenberger explained that in 1989, SB34 passed the implementation of regional trauma systems in Colorado, creating regions of five or more contiguous counties to look at emergency management and trauma services. Funding at the time came from \$1 surcharge on every registered vehicle in the state of Colorado, and has since been increased to \$2 per vehicle. Currently, they have \$6.7 million in grant funds and all agencies can apply for funding; in fact, all of the agencies in Lincoln County have either applied for, or benefitted from, the funding. Statutorily, they are required to establish a plan every two years that will include their accomplishments for the previous two years and goals for the next two. The plan is created by the council and approved by the county commissioners. The IGA states that they will appoint local representatives, who are Mr. King as the primary, and Ms. Devers and John DeWitt as the alternates.

The new goals in the Biennial Plan for this term are: Quality Education; a Regional Medical Direction and Continuous Quality Improvement program; to look at the concept of Community Para-Medicine, which will change the way pre-hospital medicine will look like with the implementation of Obama-care; and finances for the region and advocacy for who the region is. Mr. Schallenberger said that the value of the retac needs to be promoted.

Mr. Schallenberger informed the Board that in their packets of information were the original IGA, the proposed agreement that was amended, by-laws, lists of agencies and facilities, and a map of the region. The amendment was done to allow for additional trauma centers to join the retac as other facilities are built. He added that Ms. Devers and Mr. Kimble have reviewed the IGA and Plan, and other counties have already signed off on it, although they are still waiting for El Paso County's response.

Mr. Handley wanted the commissioners to know that Mr. Schallenberger is a huge asset to the retac and has added a lot of value to their system, and Mr. Schallenberger added that the retac is not an "arm of the state" but that they work for the boards of commissioners. He also said that they attend all the meetings at the state level in order to make sure their voices are heard, especially since the state seems to like to add restrictions or rules onto rural counties without their knowledge or permission. He added that they are not quiet and they definitely know who the Plains to Peaks Retac is and who they represent when they attend those meetings.

Mr. DeWitt spoke up to say that the Drive Smart grant that he'd spoken of earlier was partially funded by the Plains to Peaks retac and the CDOT.

Mr. Stone made a motion to approve the Intergovernmental Agreement for the Plains to Peaks Retac and the Fiscal Year 2104 Biennial Plan. Mr. King seconded the motion, which carried unanimously.

After the group had gone, Ms. Devers continued her report, explaining portions of the pay scale in relation to bookmobile employees. The Board agreed to continue the practice of allowing bookmobile employees step-raises at the six month, year, and two-year marks without tracking specific number of hours worked.

Ms. Devers said that Alliance Roofing is working on getting the bond and returning the proper paperwork to her to begin work on the courthouse roof, so once she receives it, she will need to issue the Notice to Proceed. Mr. Stone made a motion to grant Ted Lyons the authority to sign the Notice to Proceed with Alliance Roofing for work on the courthouse roof once the agreement and bond are received. Mr. King seconded the motion, which carried unanimously.

There was no old business to discuss, but Mr. Stone said he had some new business that involved the possible loss of his road foreman. He asked what the proper procedure was for hiring someone to fill the position, and Ms. Devers said he could promote from within his road crew if he chose to, or could advertise for the job, or simply offer it to someone, as a previous commissioner had done.

Ms. Lengel stated that she would like to purchase a server for the county accounting/payroll system, as her staff has recently had several issues with the networking of the two computers used for the numerous departments. According to county IT James Martin and Jim Brummett, IT for the system's vendor, a new server would cost between \$6,000 and \$7,000, which would include installation. The Board approved the purchase of the new server from the Capital Projects fund.

At 10:45 a.m., Human Services employee Robert Kraxberger conducted training on how people apply for DHS services, after which Ms. Barksdale presented her 2014 budget request. She stated that she is requesting three mills and that the fund balance continues to decline, adding that they try to live within their allocation and not use county-only dollars, which also makes the fund balance decrease. State statute specifies that counties are responsible for 20% of the Human Services budget. With the new budget proposal, the county share will be 12.89%. Ms. Barksdale added that, unfortunately, the state tends to look at the fund balance and there have been counties in the past that haven't been able to make their payroll. If the state were to come back in and take over the department again, they would bill the county for the 20% required by state statute, according to Ms. Barksdale.

At 1:00 p.m., County Assessor Jeremiah Higgins and Appraiser Renita Thelen met briefly with the Board to discuss the Albrook Partners tax appeal hearing scheduled for November 6. Mr. Kimble stated that the difference between Mr. Higgins' number and Mr. Frank's highest number is about \$8,000. If they were to hire experts and independent appraisers to testify on the county's behalf, they would most likely spend that much, if not more. He added that they will present the same case as was presented to the county commissioners, and hope to attend a hearing prior to theirs in order to observe how they work and learn what to expect.

Mr. Higgins said that he will take his information to the Division of Property Taxation beforehand to see if they think it is acceptable, and then they will go on the stand and defend the procedures of his department. He suggested that another appraisal is not necessary, but added that it is ultimately the Board's decision. He went on to say that he's heard that the BAA wants to make everyone a winner, so it may be possible that the county is docked some, maybe all, but he does not feel comfortable changing his appraisal figures, as he still believes they are accurate.

Mr. Kimble reported receiving an email from Ms. Devers regarding a lodging tax question, as Economic Development will be coming in on Friday afternoon of the budget hearings to request funding for the organization. They would like to use funds from the lodging and tourism fund, but Mr. Lyons said he didn't believe that it was allowed. Mr. Kimble said that, according to the resolution passed by the commissioners in 2008, Article II, Section 1-1 states that the fund shall be used only to advertise and market tourism and for no capital expenditures except for a tourist information center.

Mr. Kimble had also forwarded his draft of the CORA policy to all department heads and was still working on it.

Ms. Devers asked if he had done any further checking into whether or not the county needs to advertise on the flood plain regulations and he said he will look into it.

Ms. Devers had received a letter from Berenbaum & Weinshienk, the law firm that handles questions concerning the county's retirement plan, stating that the plan was last updated in 2008 and must be completely updated and submitted to the IRS by December 31, 2014. They charge an hourly rate and estimate a cost of \$2,000 to complete the update; however, the IRS also charges a \$2,500 user fee. The Board agreed that Ms. Devers should go ahead and tell them to do it.

Road & Bridge foremen Chris Monks, Mark McHone, and David Seymour, as well as Weed Control Coordinator Wayne Shade, met with the Board to discuss issues with weeds on the county rights-of-way. Mr. Shade commented that he can take care of the tack burrs, but the grassy sand burrs are now everywhere, and the only thing that will kill them is Round-up. The only problem is that Round-up will kill everything else as well, including all of the good grasses. He added that he can't do anything once the burrs come up, but maybe if he can spray all the areas again before they come up next spring, he will have better luck. Some farmers spray all the way to the road and he never hears from them, while others want the county to pay for the spraying and do it. Mr. Shade said he doesn't have a problem with them doing the spraying, but often they will only spray once and then never do it again. Mr. Stone felt they definitely need to keep doing what they are doing, and Mr. Lyons asked if mowing makes a difference. Mr. Shade responded that it definitely helps quite a bit. Mr. Lyons asked if the price of chemicals had increased and Mr. Shade said that Tordon has gone up to \$8 per gallon and he has eleven barrels ordered. He has also ordered Panoramic for next spring, but doesn't know if it will be enough. It is \$68 per gallon, but he doesn't use as much of it.

Mr. Shade left and the group then worked on the 2014 Road & Bridge budget, increasing the following line items: Miscellaneous Bridge Fund to \$500,000; Maintenance of Oiled Roads to \$800,000; Professional Services to \$5,500; Internet Fees to \$1,500; Electricity to \$10,500; Gas and Fuel to \$500,000; Tires and Tubes to \$45,000; Outside Repairs to \$45,000; Mower Blades to \$8,000; and Equipment Rental to \$15,000. The Special Oil Projects line item in the amount of \$75,000 was eliminated. District Two would like to purchase a new pick-up in 2014, and the Capital Leases line item will increase once Ms. Devers includes the figures from the equipment that was recently purchased.

The commissioners and foremen went out to look at the courthouse parking lot and afterward, Mr. King left for the day.

At 3:15 p.m., Public Health Director Sue Kelly gave her report for the month of August. She stated that the Community Assessment/Public Health Improvement Plan was submitted in draft to CDPHE for review and two minor revisions were suggested. The final plan is now ready for the commissioners to sign and will be submitted to the state upon approval. Lincoln County hosted a regional Vital Records training in Hugo for the new Electronic Death Certificates in August, a fair booth display was set up to try to increase knowledge of the importance of immunizations, and they passed a site visit on August 14 for the Vaccines for Children Program (VFC) with flying colors. She also completed the Medicare revalidation paperwork and is awaiting a response. State WIC personnel conducted a site visit in Hugo on August 14 and they did exceptionally well, and they are consistently at or slightly over caseload. Ms. Kelly mentioned that she or her staff attending numerous meetings and training, and then gave an EPR update, explaining that after completion of several steps, the Lincoln County Medical Reserve Corps was approved by the state and feds on August 14. New applications were sent out to current volunteers for enrollment during the last week of August and a site visit is scheduled for September to further assist the initial launch.

Ms. Kelly then explained the Public Health Improvement Plan in greater detail, including the process, key findings and data, capacity assessment and prioritization, and the process for development of goals and strategies. Mental health and substance abuse were the first priority according to the community assessment, followed by tobacco use, and childhood obesity. Ms. Kelly said they will focus on those issues in the coming years. Mr. Stone made a motion to approve the Public Health Improvement Plan. Mr. Lyons seconded the motion, which carried unanimously.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on September 20, 2013.

Corinne M. Lengel, Clerk to the Board

Ted Lyons, Chairman