

Board of County Commissioners of Lincoln County
Agenda for December 30, 2013

9:00 Call to order and Pledge of Allegiance

9:00 Open chemical bids for the 2014 spraying season

9:30 James Martin with Evergreen Systems & Technology, LLC to discuss volume licensing of certain computer programs that are installed on the majority of computers used by county employees

10:00 Land Use Administrator John DeWitt to present the Land Use Board's decision on the development permit application submitted by NextEra Resources for Limon Wind III, LLC. Representing NextEra will be Tony Ryan and Tricia Hale.

11:00 Public Health Director Sue Kelly to present for signature two Memorandums of Understanding with Kit Carson County, one for Public Health and the other for the Public Health Specialist, and a Memorandum of Understanding for the Baby and Me Tobacco Free program

1. Approve the minutes from the December 17, 2013 meeting
2. Review the 2014 Certification of Levies and Refunds for all the taxing entities in the county
3. Review two documents received from the Division of Property Taxation, one a Final Determination changing the exemption from 74% to 100% as of January 1, 2012 for the property located at 104 5th Street, Hugo and owned by the Great Commission Partnership Baptist Association; and a Notice of Forfeiture Rescinded, effective January 1, 2012 on the Kendrick Bible Church located at 2985 County Road K, Rush
4. Discuss proposed floodplain management regulations for unincorporated Lincoln County
5. County Commissioners' reports
6. County Administrator's report
7. County Attorney's report
8. Old business
9. New business
10. Approve payroll and expense vouchers

The Board of Lincoln County Commissioners met at 9:00 a.m. on December 30, 2013. The following attended: Chairman Ted Lyons, Commissioners Greg King and Doug Stone, County Administrator Roxie Devers, and Clerk to the Board Corinne M. Lengel. County Attorney Stan Kimble attended from 9:30 a.m. until noon, as did Will Bublitz with the Limon Leader and Eastern Colorado Plainsman.

Chairman Lyons called the meeting to order and asked Ms. Devers to lead the Pledge of Allegiance.

Chemical bids for the 2014 weed spraying season from Pro Ag Solutions, LLC and Tri-Me Spraying Service were opened and, after determining that the majority of the chemicals were cheaper through Tri-Me Spraying, Mr. King made a motion to accept the latter bid. Mr. Stone seconded the motion, which carried unanimously.

Mr. King made a motion to approve the minutes from the meeting held on December 17, 2013, after the deletion of "due to a resident not allowing them to seismograph in the area." Mr. Stone seconded the motion, which carried unanimously.

The Board reviewed the 2014 Certification of Levies and Refunds for all the taxing entities in the county, as well as two documents received from the Division of Property Taxation; one a Final Determination changing the exemption from 74% to 100% as of January 1, 2012, for the property located at 104 5th Street, Hugo, and owned by the Great Commission Partnership Baptist Association; and a Notice of Forfeiture Rescinded, effective January 1, 2012, on the Kendrick Bible Church located at 2985 County Road K, Rush.

Choosing to wait for the arrival of Mr. Kimble before discussing proposed flood plain management regulations for unincorporated Lincoln County, Mr. Lyons called for commissioner reports. Mr. King reported attending the employee Christmas party at the courthouse on December 20, and also receiving a call from Jerry Monks regarding opening the road on the south side of Section 18, Township 9 South, Range 56 West in order to make an access to the town of Limon from the south side of town when the railroad crossing is closed on State Highway 71. Mr. Lyons said creating an access to Highway 24 from the road that goes out to the Limon town wells had been discussed in the past, but Greg Westfall had been against it, and he owns the Elbert County portion of the land. Mr. King said that he feels the town as well as fire and ambulance need to work something out, and it was suggested that they choose a different access route; possibly the road that goes east from the old feed lot and through where the old dump used to be. Mr. King said they could put in a low water crossing to cross the creek and since most of that property is in the city limits, it would be much easier than trying to access Limon via Highway 24.

At 9:30 a.m., James and Elizabeth Martin with Evergreen Systems & Technology, LLC met with the Board to discuss volume licensing of certain computer programs that are installed on the majority of computers used by the county employees. Mr. Martin said they can obtain volume

licensing through Microsoft that will enable usage of the same key for multiple computers and users. The major benefit, according to Mrs. Martin, is better compatibility among users, in addition to being able to purchase software and operating system licenses wholesale as a county, rather than retail through individual departments or accounts. She added that they do not yet know the exact cost, as they had trouble contacting Microsoft, but if the Board approves the recommendation, they will find out. Mr. King asked Ms. Lengel how the department heads feel and she responded that she is in favor of the proposal personally, although she has not spoken with other department heads about it. The Board agreed that having every department on the same page seemed like a good idea and asked the Martins to find out the exact cost.

Once the Martins had gone, Mr. Stone reported hosting a Christmas dinner for District 3 employees on December 19, attending the courthouse Christmas party on December 20, and going by the county shop on December 23.

Mr. Lyons reported signing the 2014 Certification of Levies and Refunds for Deputy Assessor Renita Thelen, and attending the hospital board meeting on December 19 and the courthouse Christmas party on December 20. On December 24, he had lunch with District 1 employees, and on the Twenty-sixth he checked on County Road 26 and went by the landfill to speak with Mick Jaques. He also noted that not much oil activity is going on right now, but Ms. Devers commented that Wiepking-Fullerton permitted several wells the previous week.

Ms. Devers reported on the response she received from Patti Lell with CTSI concerning the previous discussion on allowing 4-H to hold their shooting sports event at the fairgrounds each January. Even though Ms. Devers explained that the county has always looked at 4-H as a county program and never required a certificate of insurance for them to use the fairgrounds facilities, Ms. Lell responded that 4-H is not a part of the county operations, but rather their own entity, and CTSI would most likely subrogate against them if something were to happen during their event. She added that, in her opinion, shooting events are high-risk activities and insurance coverage should be required, and if something happened, CTSI would defend only the county and not 4-H. Ms. Devers said that many events occur at the fairgrounds that are not required to provide insurance and no matter what takes place there, there will always be risk of something happening. Mr. Stone asked if people are required to sign a waiver and Mr. Kimble responded that the county generally does require a waiver, but it would not protect against gross negligence, adding that 4-H should be notified of the response from CTSI. Ms. Devers said she would contact Travis Taylor. She also mentioned that she had received additional information on the hydrology study to be completed for the work being done in District 3 from the flooding, and the commissioners would need to decide if they wanted to have the study done and which company they would like to complete it.

At 10:00 a.m., Land Use Administrator John DeWitt met with the Board to present the Land Use Board's decision on the development permit application submitted by NextEra Resources for Limon Wind III, LLC. Tricia Hale and Tony Ryan attended to represent NextEra, and Joe Kiely

with the town of Limon was also in attendance, as well as Todd Ritchie with Cascade Petroleum, and his counsel.

Mr. DeWitt stated that the Land Use Board met on December 19 with seven of the nine members present and voted to approve the application for the development permit: 6-0 (one member abstained). He added that two conditions (“k” and “l”) were added to the application which addresses oil/mineral rights. The first states that the applicant must provide evidence that it has entered into, or made good faith and commercially reasonable efforts to enter into, surface use agreements or other compatible development agreements with any mineral estate owners which have filed timely objections to the land use applications pursuant to Colorado statutes prior to construction or installation of any wind farm facilities. The second condition dictates that no extension of the one-year period for implementation of the applicant’s use of the property or wind farm facilities as set forth in the Lincoln County Zoning Resolution shall extend longer than two years after the date of issuance of the development permit for such use. Ms. Devers spoke up to say that those items are also included in the commissioners’ resolution.

Mr. Kimble explained to commissioners King and Stone that Lincoln County special use review code stipulates what criteria is necessary, and the first part of the resolution addresses that criterion. If the resolution is adopted, further agreements will be signed, including the road agreement and a development agreement, wherein the sales and use tax will be addressed. He added that originally the 2% sales tax was reduced to .938%.

Mr. DeWitt put in that in any other type of project each structure would be permitted separately, but the negotiations for the first wind farm included a formula developed by the past Land Use Administrator, Ken Morrison. Ms. Devers added that Mr. Morrison derived a figure and then multiplied it by the number of towers being constructed, and that was how the sales and use tax was calculated.

Ms. Hale spoke up to say that Limon Wind III will be closer in proximity to the numbers in Limon Wind I, with half the number of towers of what was put in during the first two phases, and a roughly comparable cost to the first phase. She added that they want to work out agreements with all oil and gas and mineral owners in order to be as compatible as possible, and those agreements do provide for seismograph activities. When Mr. Kimble asked if the road agreement was the same as past agreements, she responded that it is and they will most likely return in January requesting signature on it if the Board adopts the resolution allowing the development permit. They hope to begin construction in late March or early April.

Mr. Ryan stated there were eleven objections at the meeting held on December 19, in comparison to only two objections during the last phase; however, neither Prairie Minerals nor Anadarco were at the most recent meeting to object, which makes them feel that both companies are satisfied with the agreements. Those eleven objecting asked specifically that

NextEra include stipulations to enter into compatible development agreements with mineral owners, which they are very concerned with and have made it their goal to accomplish.

Todd Ritchie with Cascade Petroleum spoke up to voice his main concerns; conducting seismic shoots, an all-exclusive right-of-way utilized by wind farm people only, and setbacks for derricks. His first concern was whether or not they would actually be able to acquire full-fold seismographic images based on the setbacks. If the turbines are 1,000 feet apart and the setback is 500 feet, Mr. Ritchie said they would never drill in the area as it would be too difficult to conduct seismic studies. As for the exclusive right-of-way, he felt that oil and gas operators also need to be able to access the same roads as wind farm operators, and asked that NextEra share any road maintenance on roads built by Cascade, who has a non-exclusive right-of-way, as they would be willing to do the same on roads built by NextEra. Lastly, he commented that particular sections may be rendered useless to them if they cannot put up 150' derricks in front of wind towers, and he wanted to know what those setbacks look like. Mr. Ritchie added that he would like to see commercially reasonable efforts to reach agreements *prior* to construction beginning so that everyone can benefit from *all* of their property assets.

Mr. Ryan stated that they are very willing to work with each individual mineral owner until they are satisfied with the results, and they are also very open to sharing roads and seismic activity, adding that Lincoln County is becoming a model for surface and mineral owners to prosper in cohesion.

Ms. Hale said they understand that everyone wants both operations to work harmoniously and they have come to terms with mineral owners and all issues that have been addressed in the past. Since this phase has fewer turbines per section than the other phases, she hopes that it will be much easier to satisfy the needs of all concerned.

Mr. Kimble commented that he doesn't like having the commissioners determine that "good faith and commercially reasonable efforts" were made, but does feel better knowing that the Board has the power to withdraw the permit if something happens. He added that it would be much better to have written agreements in place by the end of March and Mr. Ryan responded that it is their goal to do so. He also wanted to mention that the Power Point presentation and files presented at the Land Use Board hearing are all part of the official record.

Mr. Stone made a motion to adopt a resolution approving Use by Special Review and Development Permit #13-03 submitted by NextEra Resources for Limon Wind III, LLC. Mr. King seconded the motion, which carried unanimously.

RESOLUTION
NO. 870

A RESOLUTION GRANTING THE APPROVAL OF THE USE BY SPECIAL REVIEW AND DEVELOPMENT PERMIT NO. #13-03 FOR THE LIMON WIND III, LLC WIND ENERGY GENERATION FACILITY AND RELATED TRANSMISSION LINE AND FACILITIES IN LINCOLN COUNTY, COLORADO.

WHEREAS, Limon Wind III, LLC ("Limon Wind III") has applied for the approval of a Use By Special Review and Development Permit ("Project Approvals") for the construction and installation of a Wind Energy Generation Facility, to consist of up to approximately 200 MW and consisting of up to 121 wind turbine generators, together with pad mount transformers, buried and overhead cable, substations, private gravel roads, meteorological towers, operations and maintenance facilities, related equipment and structures, rights-of-way, temporary batch plant and a transmission line, and other ancillary facilities and uses in accordance with the Lincoln County Application for Use By Special Review Permit submitted by Limon Wind III, dated November 2013 (the "Application"). The property subject to the Project Approvals is described in the attached Exhibit A (the "Property").

WHEREAS, the property is currently zoned Agricultural under the Lincoln County Zoning Resolution; and

WHEREAS, Section 2-220 of the Lincoln County Zoning Resolution allows for the approval of a Use By Special Review and Development Permit within the Agricultural Zoning District in accordance with the provisions of Article 3 of the Lincoln County Zoning Resolution; and

WHEREAS, Limon Wind III has obtained the consent of the owners of the Property to the Application and the Project Approvals in the form of leases and/or easement agreements which authorize Limon Wind III to construct the Wind Energy Generation Facility and to obtain the Project Approvals; and

WHEREAS, due to the substantial investment to be made by Limon Wind III, and the amount of detailed planning, engineering and related work that will be required to construct the Wind Energy Generation Facility, Limon Wind III has requested that the duration of the Project Approvals be for a term in excess of one year, as permitted by Section 1-210 of the Lincoln County Zoning Resolution; and

WHEREAS, at a public hearing held on December 19, 2013, the Lincoln County Land Use Board approved the Use By Special Review and Development Permit; and

WHEREAS, pursuant to Section 3-110 of the Lincoln County Zoning Resolution the Lincoln County Board of County Commissioners chose to review the Application, together with the staff report and the Decision of the Land Use Board; and

WHEREAS, at a meeting of the County Board of County Commissioners held on December 30, 2013, the Lincoln County Board of County Commissioners held a public meeting at which it considered the Application, the staff report on *such* Application, the decision of the Land Use Board, the record of proceedings before the Land Use Board, and such other information as was brought before the Board of County Commissioners at such hearing; and

NOW BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LINCOLN COUNTY, COLORADO:

I. APPROVAL:

The application of Limon Wind III, LLC for a Use By Special Review and Development Permit is GRANTED, subject to the conditions set forth below. The

Use By Special Review and Development Permit, including the applicant's right to construct, repair, maintain, and operate the Wind Energy Generation Facility, shall remain valid for a period of 50 years, or until such time as Limon Wind III, its transferees, successors and assigns no longer own, lease, or otherwise occupy an interest in the Property described in Exhibit A, whether by lease, easement, or otherwise, whichever occurs last.

II. FINDINGS OF FACT:

1. That proper notice has been provided as required by law for the public hearing before the Board.
2. That the information contained in the record of proceedings and presented to the Board at the public hearing is extensive and complete, and that all pertinent facts, matters and issues were submitted and considered by the Board.
3. That the Wind Energy Generation Facility, as described in the Application, is consistent with the minimum zoning requirements set forth in the Lincoln County Zoning Resolution.
4. That the Wind Energy Generation Facility is consistent with the goals and strategies set forth in Lincoln County's Comprehensive Plan.
5. That the Wind Energy Generation Facility will be compatible with the character of the surrounding neighborhood and will not have negative impacts on adjacent properties. The Wind Energy Generation Facility has been designed to mitigate any potential noise, odor, vibration, glare and similar impacts associated with the proposed land use
6. That the Wind Energy Generation Facility will not cause undue traffic, congestion, dangerous traffic conditions, or other vehicle-related impacts due to the implementation of project-wide Best Management Practices and effective traffic control measures during construction.
7. That the Wind Energy Generation Facility will not require a level of community services or facilities that is not available, and the Applicant will provide the necessary improvements to address any deficiencies to facilities and services that the use would cause. All public roads, utilities, bridges and septic systems to be developed in connection with the Wind Energy Generation Facility will comply with County standards.
8. The operating characteristics of the Wind Energy Generation Facility shall not create a nuisance and the project has been designed to minimize impacts on neighboring properties with respect to noise, odor, vibrations, glare, and similar conditions.

9. That an adequate water supply is available to provide water to the Wind Energy Generation Facility either through a public water supply system or wells adequate in quality and quantity to serve the development and approved by the State Engineer. The water supply will comply with all applicable requirements of the Colorado Water Quality Control Division and the State Engineer.
10. That the Wind Energy Generation Facility will not cause significant deterioration of surface or groundwater resources. The Wind Energy Generation Facility has been designed and will be constructed to:
 - a. Prevent any changes to patterns of water circulation, conditions of the substrate, extent and persistence of suspended particulates, and the clarity, odor, color or taste of water
 - b. Comply with applicable water quality standards
 - c. Control levels of point and nonpoint source pollution
 - d. Prevent any changes in seasonal flow rates and temperature for affected streams
 - e. Prevent changes in aquifer recharge rates, groundwater levels and aquifer capacity including seepage losses through aquifer boundaries and at aquifer-stream interfaces
 - f. Prevent changes in circulation patterns, seasonal water levels and temperature of lakes or reservoirs
11. That the Wind Energy Generation Facility will not significantly degrade wetlands or other aquatic habitat and riparian areas. The Wind Energy Generation Facility is designed to avoid such areas or to minimize disturbance in these areas. Specifically, the Wind Energy Generation Facility will not:
 - a. Cause any significant changes to the structure and function of wetlands and to unique, rare, delicate or irreplaceable riparian areas, vegetation, forest or woodlands
 - b. Cause any significant changes to the filtering and nutrient uptake capacities of wetlands and riparian areas
 - c. Cause any significant changes to aerial extent of wetlands and evolution of wetland species to upland species
12. That the Wind Energy Generation Facility will not cause significant deterioration of grasslands or farmland.

13. That the Wind Energy Generation Facility will preserve the integrity of existing and natural drainage patterns. Where required by County standards, a stormwater retention system shall be provided to retain stormwater runoff in excess of historic flows and shall be designed for a 100-year flood.
14. That to the extent necessary, the Wind Energy Generation Facility will be served by an adequate wastewater treatment system that meets all applicable County, state and federal standards.

III. CONDITIONS:

1. This Project Approval does not limit or affect the private property rights of mineral owners to reasonably access and use the surface of the permit area for the purpose of exploring for, developing and/or producing oil, gas and other minerals in accordance with Colorado law.
2. All trucks delivering materials to the Wind Energy Generation Facility shall use State highways as their primary access to the Limon Wind III Project to the greatest extent possible.
3. Trucks that use Lincoln County roads to deliver construction materials to the Wind Energy Generation Facility will use routes designated by the Lincoln County Road and Bridge Foreman. Legal load limits will be strictly observed.
4. Upon completion of the Wind Energy Generation facility all "improved county roads" will be returned to the roadway widths in existence prior to commencement of construction as designated by the Lincoln County Road and Bridge Foreman. All "improved county roads" that have been horizontally re-aligned will be returned to their original alignment unless the adjacent landowners and Lincoln County accept the re-alignment: acceptance to be in writing.
5. Limon Wind III and contractors agree to maintain any Lincoln County Road utilized by haul vehicles to deliver construction materials to the various work locations. This maintenance to include any dust abatement required.
6. Where Wind Energy Generation Facility traffic uses Lincoln County Bridges the owner or contractor, as applicable, will be held responsible for any damages done to the bridges as a result of such use.
7. All vehicles (excluding emergency vehicles) accessing the project must observe Lincoln County road speed limits

8. All construction debris (including concrete truck clean out) and trash cannot be buried nor burned on site but must be disposed of at a properly permitted landfill on a regular basis. Suitable containers/dumpsters shall be utilized to prevent the debris from becoming wind-blown.
9. All reclamation materials: native seed mixtures, mulch and erosion control materials shall be certified as weed free.
10. Prior to obtaining any building permits there shall be in place a fully executed roadway agreement between Lincoln County and NextEra Energy Resources, LLC.
11. The applicant shall, to the extent required by applicable Colorado law, reasonably accommodate access to and development of subsurface mineral interests with respect to their proposed use of the property for wind farm facilities. In this regard, the applicant shall, as a condition of approval and prior to the construction or installation of any wind farm facility, provide evidence that it has entered into, or made good faith and commercially reasonable efforts to enter into, surface use agreements or other compatible development agreements with any mineral estate owners which have filed timely objections to the land use applications pursuant to Colorado statutes.
12. In the event the applicant requests any extension of the one-year period for implementation of the applicant's use of the property or wind farm facilities, as set forth in Section 1-210 of the Lincoln County Zoning Resolution (Rev/Final 4/18/02), no such extension shall extend longer than two (2) years after the date of issuance of the Lincoln County Development Permit #13-03.
13. Prior to the issuance of any building or construction permits, the Applicant and the Board of Lincoln County Commissioners shall enter into a written agreement which includes resolution of the fees to be paid by the Applicant relative to a combined permitting and sales and use tax assessment. The County agrees, however, that in no event shall the permitting fees/use or sales tax to be paid by the Applicant be assessed at a rate higher than similar projects previously approved by the Board of County Commissioners.

BE IT THEREFORE RESOLVED, that a Use By Special Review and Development Permit is granted to Limon Wind III, LLC, to construct a Wind Energy Generation Facility in accordance with the terms of the Application, subject to the conditions set forth above. The Lincoln County Board of County Commissioners retains continuing jurisdiction over the permit to address future issues concerning the site and to ensure compliance with the conditions of the permit. The applicant is responsible for complying with all of the forgoing conditions and all

other county zoning or other land use regulations. Noncompliance with any of the conditions may be cause for revocation of the permit.

Done the 30th day of December, 2013.

LINCOLN COUNTY BOARD OF COMMISSIONERS LINCOLN COUNTY,
COLORADO

I, Corinne M. Lengel, Clerk to the Board in and for the County of Lincoln, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the County Board of County Commissioners of the County of Lincoln and State of Colorado, in regular session on the 30th day of December, 2013.

Clerk to the Board

Exhibit A

Legal Description of Property Described in Application

Township 7S Range 53W, Sections 18, 19, 30, and 31;
Township 7S Range 54W, Sections 13, 19-29, and 32-36;
Township 8S Range 53W, Sections 6-8, 16-21, 25, 26, 28-32, and 34-36;
Township 8S Range 54W, Sections 1-5, 8-18, 21, 22, 24-28, and 33-36 ;
Township 8S Range 55W, Sections 13-18;
Township 9S Range 53W, Sections 3-6; and
Township 9S Range 54W, Sections 1-4, 11, and 12

After the group had gone, Mr. DeWitt provided an inspection request list and the 2013 Land Use Annual report, and then Jay Jolly stopped in to discuss the flood plain ordinance the commissioners are required to adopt by January 14, 2014. He wanted to know how restrictive the regulations will be and how they will be regulated and who will regulate them, as he has property in one of the largest waterways in the county and is concerned with new restrictions.

Mr. Lyons responded that he had read through the proposed ordinance twice and found nothing good about it, wanting to know what would happen if the county just refused to do it.

Mr. Kimble explained to Mr. Jolly that it is a federal mandate that is tied to the National Flood Insurance Program and felt there was really no choice in whether or not the ordinance is adopted.

Mr. Jolly wanted to know if the Army Corps of Engineers would be involved and advised against it, as he has heard that nothing good ever happens if that organization becomes involved.

Mr. Kimble said that it may take years for anything to come of the passage of the ordinance, adding that it appears to be a no-win situation.

Mr. DeWitt put in that the county would not have to enforce everything, but if the ordinance is not adopted, the county will never obtain flood plain maps, which are supposedly free through FEMA. He is concerned that there may be residents who need flood insurance and can't get it, or those who are paying for it and don't need it. He added that if the county had the information, at least he could be helpful to residents without having to guess.

Mr. Kimble said that, on the other hand, if the county discovers where the flood plains are, then other regulations will need to be complied with when it comes to new development. He added that he has not yet read the federal statutes to determine the consequences for not adopting the ordinance, and asked Mr. DeWitt if the county has adopted the federal building code, which it has not.

Mr. Jolly had to leave, and Public Health Director Sue Kelly arrived with her 11:00 a.m. appointment with the Board, so further discussion regarding the flood plain ordinance was discontinued for the time.

Ms. Kelly presented three Memorandums for Understanding; two with Kit Carson County and one for the Baby and Me Tobacco Free Program.

Mr. King made a motion to sign the MOUs with Kit Carson County HHS for Family Planning and WIC in the amount of \$20,783 for the period of January 1, 2014, through December 31, 2014, and for Environmental Health/Consumer Protection in the amount of \$8,312, for the period of January 1, 2014, through December 31, 2014. Mr. Stone seconded the motion, which carried unanimously.

Mr. King also made a motion to sign the Rocky Mountain Health Plans Foundation MOU for the Baby & Me Tobacco Free program in the amount of \$5,600 for the period of January 1, 2014, through June 30, 2014. Mr. Stone seconded the motion, which carried unanimously.

The flood plain discussion resumed once Ms. Kelly had gone, with Mr. Kimble stating that perhaps the county could adopt the ordinance and hold it in abeyance until the flood plain maps and information are actually obtained. He suggested a stipulation to the resolution stating that the county would adopt the flood plain ordinance, but has no means of enforcing it without the maps. The group decided to make the necessary changes to the proposed ordinance and resolution and adopt it on January 14, 2014.

Ms. Devers asked the Board to make a decision on the hydrology study for the work in District 3, stating that the quote from Kidd Engineering came to \$11,410. Since the quote from JR Engineering was between \$6,500 and \$8,500, the commissioners agreed it would be better to use that company. Mr. King made a motion to approve JR Engineering to complete the hydrology study in District 3 at a cost of \$8,500 maximum, and to authorize Mr. Lyons to sign the contract when it is received. Mr. Stone seconded the motion, which carried unanimously.

Ms. Devers was concerned with signing off on the paperwork submitted by David Seymour for replacing the tubes, as both she and Mr. DeWitt would be required to do so. She could not make any of the numbers match and felt that Mr. Seymour should provide better records as she was simply guessing at how long it took to haul the loads, which equipment was used, and what dates it was done on. Mr. DeWitt agreed that he didn't want to sign off when it was very likely the paperwork will be audited, due to the size of the claim. Mr. King asked Mr. Stone if he could speak with Mr. Seymour and find out if he could re-do the paperwork, and Mr. Stone said he would try.

As for old business, Ms. Devers said that a gentleman came out and asked Travis Nall to do a walk-through of the courthouse roofing project, and Travis said there was a lot of trash left behind and concluded that the material they put down will never hold. The boss then came out and agreed with Travis, so they are still working on the roof.

Ms. Devers had received vouchers in the amount of \$11,179.42 from the Lodging/Tourism Board, yet the amount remaining in their 2013 budget is only \$7,184.73. She asked if the commissioners wanted to complete a supplemental appropriation and pay all the bills in 2013, or if the bill submitted to the town of Limon in the amount of \$5,340.44 for golf course promotion should be held until after the first of the year and paid with the 2014 budget. Mr. King commented that the Lodging/Tourism fund should comply with their budget just like is required by other departments and did not feel that doing a supplemental appropriation was the right thing to do. The others agreed and Ms. Devers said she would pull the voucher to the town of Limon and ask the Clerk's office to pay it at the end of January.

The commissioners approved the December 2013 payroll and expense vouchers and then, with no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on January 7, 2014.

Corinne M. Lengel, Clerk to the Board

Ted Lyons, Chairman