

Board of County Commissioners of Lincoln County
Agenda for January 30, 2014

9:00 Call to order and Pledge of Allegiance

9:00 Casey Toyne with Farm Service Agency to give an update on programs

10:00 Human Services Director Colette Barksdale to give her monthly report

Approve the minutes from the January 14, 2014 meeting

Review the December 2013 report from the Assessor's Office and the reports of revenues and expenditures for County General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, Road & Bridge and the individual road districts

Finalize the 2014 appointments

Discuss which rodeo contractor to enter into an agreement with for the rodeos at the county fair

Old business

New business

Approve payroll and expense vouchers

The Board of Lincoln County Commissioners met at 9:00 a.m. on January 30, 2014. The following attended: Chairman Ted Lyons, Commissioners Greg King and Doug Stone, County Administrator Roxie Devers, Clerk to the Board Corinne M. Lengel, and commissioner candidate Gene Vick.

Chairman Lyons called the meeting to order and asked Casey Toyne with Farm Service Agency to lead the Pledge of Allegiance. Mr. Toyne then gave an update on programs at FSA, beginning with the fact that cost-share payments and reconstitutions have been held up for various reasons. Stemming from the new system that automatically does so, Lincoln County was declared a disaster county for 2014 on January 15, meaning producers have nine months (through September 15) to apply for emergency loan assistance. Mr. Toyne stated the automatic declaration is not necessarily a good thing because it means that producers may be getting loans when it is the worst possible time for them to do so. The Farm Bill passed the House yesterday and went to the Senate, so there is a very strong possibility it will be passed, especially since the President has indicated he will sign it. DCP, the direct payments program, will go away with the passage of the bill and producers who are not actively farming will no longer receive automatic payments. DCP has been replaced with two other programs; one based on yields and season-average prices, and a target price program with price-loss coverage for when prices drop below a set price. Producers will be locked into whichever program they choose for four years, but Mr. Toyne said that they would be able to opt into a supplemental loss program if they choose the target price program.

Mr. King asked if they would still have the commodity loan program, which they will, and Mr. Toyne added that there will be changes to the limits of how much a producer can receive; \$125,000 across the board. He stated that it shouldn't affect the majority of Lincoln County farmers, but some will be affected.

Mr. Toyne went on to say that the SURE program will be back for 2012 (there is a lag of a couple of years), which is almost like a shallow loan program in that it helps pay for losses that didn't quite qualify for insurance payment, and that there is good news for livestock producers in the Farm Bill. CRP remains untouched, there will be sign-up this summer, and a test program included in the bill allows for ten states, including Colorado, to plant industrial hemp. Mr. Toyne said that it is actually considered to be a noxious weed, but can be very useful if kept under control.

Mr. Lyons asked what the commissioners could do if a farmer has noxious weeds in their CRP ground, and was told that it is a violation of the CRP agreement, and if FSA is notified, they can withhold the payment.

Mr. Stone asked Mr. Toyne if he had heard of any federal assistance for the tumbleweed issues but he had not. Lastly, he informed the group that there will be no payment for grass loss this year, as the CSU specialist set the county at a 40% loss and it must be at least 50%. He added that Brian Johnson with NRCS also took an assessment but apparently, even though many areas

of grass have simply died off completely, enough moisture had been received overall that it didn't show enough of a loss to qualify. Unfortunately, they will not allow the county to be split, so moisture received in the north affects the fact that very little was received in the south end of the county.

Once Mr. Toyne had gone, Mr. Lyons brought up an issue with a voucher submitted by a Road & Bridge employee who had attended MSHA training. Mr. Lyons said that several employees had attended the training, but one employee from District Two had turned in mileage for a personal vehicle, had gone up half a day earlier, and also had stayed an additional night in the hotel when the other employees had not. Mr. Lyons felt that it set a precedence that employees in District Two could be treated differently than those in other road districts, and he said he would not sign the voucher. Mr. King said he had made the arrangements with the employee prior to the arrangements made by Chris Monks, and had cleared it through the District Two foreman, Mark McHone. Mr. Stone agreed with Mr. Lyons that the mileage should not be reimbursed as the employee could have ridden with the other employees, and made a motion to deny payment of travel expenses in the amount of \$96 to Caleb Brent. Mr. Lyons seconded the motion, which carried two-to-one. Ms. Devers said that the hotel charge was not listed on the voucher and the commissioners decided to wait and see if it appears on Mr. McHone's county credit card bill before taking action on it. Mr. King said he would pay the \$96 personally, since he did not want to go back on his word.

Mr. Stone made a motion to approve the minutes from the meeting held on January 14, 2014, as submitted. Mr. King seconded the motion, which carried unanimously.

Mr. Lyons said he'd contacted Shelby Britten and Tom LeValley about serving another term on the weed board and they had agreed, but Gary Withington told him he wanted nothing to do with the county and did not want to serve another term, leaving a vacancy. He had heard nothing from anyone about serving on the hospital board, so he contacted Dolle Lehrkamp and asked her if she would be interested, which she was. He then spoke with other hospital board members who agreed to have her serve.

Mr. King made a motion to appoint Dolle Lehrkamp to the Lincoln Community Hospital Board, term expiring in 2019. Mr. Stone seconded the motion, which carried unanimously.

Ms. Devers said that Judy Fehringer, Executive Director of the Eastern Colorado Services for the Developmentally Disabled, had notified her that Gary Beedy no longer wants to serve on that board, and asked if the commissioners would find a replacement. She did tell Ms. Devers that often Human Services employees are appointed as members and suggested that as an option. Mr. Lyons said he would think Abby Mosher would be very good if she were interested. Since no one had contacted Linda Messer about serving another term on the Human Services Region Citizen Review Panel, Ms. Devers tried to call her, but got no answer. She said they could discuss it with Ms. Barksdale when she came in for her appointment.

The Board reviewed the December 2013 report from the Assessor's office and the reports of revenues and expenditures for the County General, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, Public Health and Road & Bridge funds, as well as for the individual road districts.

At 10:00 a.m., Human Services Director Colette Barksdale met with the Board to give her monthly report. Robert Kraxberger accompanied her. While the commissioners reviewed the time sheets and financial reports for the months of November and December 2013, Ms. Barksdale said her department is required to do a time study the month of February regarding anyone who deals with Child Welfare. It will be labor-intensive for staff and will require some training. Since the state is in the process of upgrading to the latest version of Excel, Ms. Barksdale had to have James Martin install the program on several of their computers in order for employees to submit the time data collection.

Ms. Barksdale had brought the new Citizen Review Panel agreement for signature and stated that she assumed the Board had re-appointed Linda Messer to the position. Ms. Devers explained that they had not been able to get in touch with Ms. Messer and asked Ms. Barksdale to see if she could. Changes to the agreement were the addition of Logan County and an increase in the number of days (from 15 to 30) required for written notification should a county want to discontinue their membership. The agreement was effective January 1, 2014, and will run through December 31. Ms. Barksdale commented that they haven't had anyone request a Citizen Review Panel since its implementation in 2008.

Mr. King made a motion to sign the Northeast Colorado Citizen Review Panel Intergovernmental Agreement for the ten-county region for 2014. Mr. Stone seconded the motion, which carried unanimously.

Next, Ms. Barksdale reported receiving an urgent email message from Jack Hilbert with Douglas County, requesting support of the Child Welfare Hotline. She explained the changes made since she originally spoke of the hotline and assured the Board that it was a much better plan now since they had decided to leave control at the local level. They still want to develop a number, such as 611 or 711, that people can call to report child welfare issues, but the report would be routed to the correct county through a dedicated phone line. Mr. Lyons asked if she was comfortable with the new version of the plan and Ms. Barksdale said it was a much better way of handling it, although it will most likely require contacting Frontier Telephone for the installation of the dedicated line. She added that the state may pay all or a portion of it and said she would send Mr. Hilbert the information that Lincoln County supports the hotline.

For the Board's information, Ms. Barksdale said that a family had come through in a motor home asking for assistance and since they were TANF eligible, they filled their motor home with approximately \$180 worth of gas, gave them some food, and told them not to stop again in Colorado for further assistance. She wanted the commissioners to be aware that they don't

normally provide such a large amount for fuel when using General Assistance, but since the family did qualify for TANF, they used TANF funds.

Project School Supply has been started for the 2014-2015 school year and Ms. Barksdale has asked for preliminary bids to start pricing the items.

She would like to purchase a freezer for holiday basket items such as Girl Scout cookies and turkeys but has no place to put one. They had been using the freezer at the jail but ran into problems so decided it best to purchase a freezer that could be locked. She had spoken with Travis Nall who told her that there may be room in the "phone room" on the south side of the courthouse. She is looking for something around \$200 and they will pay for it out of the holiday basket donation fund. The commissioners agreed to the purchase.

Ms. Barksdale then gave a presentation on the purchase of two Smart Boards for use at the Limon office and the Resource Center, stating that they do have grant funds in the amount of \$6,500 to pay for one of the boards, but they would like to purchase both at the same time since the installation fee is \$1,600. She hopes that they can save a good portion of the fee by having two boards installed. The sheriff could use the board at the Resource Center for training, as could EMS or other county authorities, and she would like to have Travis Nall build a case for them so that they are not tempting people who may use those facilities on occasion. She explained that they are writing another grant for the purchase of the second board, but could use Foster Care funds to pay for it until the grant money is received. Mr. Lyons wanted to know if they could use E911 fees to pay for it, but Ms. Devers said it would be a stretch, and Ms. Barksdale said they have the money and will cover the cost, since they will be the ones most likely to use it.

Mr. King made a motion to allow Human Services to purchase two Smart Boards to be used at the Limon office and the Resource Center; cost to be reimbursed from grant funds, if at all possible. Mr. Stone seconded the motion, which carried unanimously.

Two Human Services employees were involved in a car accident last Thursday resulting in the need to replace one of the department's vehicles. Ms. Barksdale said injuries were minimal, it was not the fault of her employees, and the driver of the other vehicle did not have insurance. Ms. Devers contacted the county's insurance carrier and they will remove the vehicle from the impound lot. Mr. Kraxberger had checked on vans at Limon Chrysler and Anderson Motors, and a used van with approximately 30,000 miles on it will cost between \$18,000 and \$20,000, depending on where it is purchased. A 2014 Dodge Grand Caravan SE can be obtained from Limon Chrysler for \$21,675. Ms. Barksdale said they did include \$25,000 in the 2014 budget for a new vehicle, so they can purchase something now and then decide what to do later on.

Mr. Stone made a motion to allow Human Services to purchase a 2014 Dodge Grand Caravan SE from Limon Chrysler for \$21,675. Mr. King seconded the motion, which carried unanimously.

Ms. Barksdale said she had attended a meeting the previous week and learned that regulations have been changed regarding inmate hospitalization costs. If an inmate is hospitalized for more than two days they are eligible for Medicare so the county or state will not be responsible for paying costs associated with the hospitalization after that time period. There is also a provision for medication being covered under Medicare, but Ms. Barksdale did not have all the details.

Ms. Barksdale said she would ask her staff about someone serving on the ECSDD board and Ms. Devers told her that Mr. Lyons had felt Abby Mosher would be a good choice. He will speak with Ms. Mosher and she can contact Ms. Fehringer if she is interested.

Ms. Barksdale provided a copy of an Advisory Practices Guide between the Lincoln County Sheriff's office, the Limon Police Department, the Hugo Marshal's office, and the Lincoln County Department of Human Services, stating that she had gotten a complaint from Gregg Leverett regarding several things; one being the protection of children. Another issue was that she has employees who are on the sheriff's posse and he feels it is a conflict of interest. She explained again that her department has a more extensive policy and procedure manual than the county's and conflict of interest is covered under her policy. She gave Mr. Leverett a copy of the document she gave to the commissioners but did not tell him about her own inter-office policy. Since Mr. Leverett is scheduled to meet with the Board on January 31, she wanted them to be aware of what she had told him. She added that he may also bring up the case from 2007, in which a teenager committed suicide and the results of that case, but only a portion of the case was public and that was the information she had given him.

Mr. King then made a motion to go into executive session, per 24-6-402 (3) (a) (III) C.R.S., to discuss Human Services cases. Mr. Stone seconded the motion, which carried unanimously. All but Gene Vick stayed for the executive session, which was tape-recorded. The tape will remain on file in the county clerk's vault for the statutory ninety days.

Upon coming out of executive session, Mr. King made a motion to reconvene in regular session. Mr. Stone seconded the motion, which carried unanimously.

Fair Board Chairman LaRay Patton was asked to come over to discuss which rodeo contractor to enter into an agreement with for the 2014 rodeos at the county fair. Mr. Lyons said that the fair board felt someone should contact McCloys to see if they would be willing to do it for cheaper than \$12,000, but after discussing items not included in the Southwick contract; such as the motel rooms and hay, the Board determined it may cost close to the same amount if they went with Southwick anyway. Ms. Devers said they would need to provide hay for the stock, but since a good portion of it was sold back last year, they might not need to get as much. Ms. Patton agreed, stating that since they had put a lock on it, they hadn't gone through nearly as much hay as in previous years.

Mr. Vick spoke up to say that he would appreciate it if something could be done about the slack because it is hurting the actual number of entries in the rodeo performances. Ms. Patton said

they were told that CPRA is responsible for setting up the slack and tends to cater to the contestants. Mr. King felt the commissioners should send a letter to CPRA voicing their displeasure with the situation and the others agreed.

Ms. Patton said that the biggest complaint the fair board had toward Glenn Southwick is that he is very demanding of the help and seems to want the county to do most of the work. For what he gets paid, the fair board felt he should provide more qualified workers, especially for the rough stock. Ms. Patton added that they also did not like entering into a two-year contract.

Mr. King made a motion to approve the contract from McCloy Rodeo in the amount of \$12,000 to provide the rodeos at the 2014 county fair. Mr. Stone seconded the motion, which carried unanimously.

Mr. Lyons suggested the group break for lunch, but Ms. Lengel had an appointment and asked if they could finish up old and new business so that she could leave.

Ms. Devers said that she had received the insurance from Lionel Gendron with American Climbers, so he will be able to do tree-trimming at the fairgrounds. She had also received an email from Brett Moore with Interwest Energy Alliance asking for testimony in front of the Joint Senate and House Ag Committee on February 5 regarding sales and use tax revenue for wind farms, and the benefits of having renewable energy in the county. She had emailed him back asking what the bill number was if it were going through legislation so that the Board could review it before making a decision as to whether or not they wanted to give testimony, but she had not heard back from him. Mr. King volunteered to go if Ms. Devers hears something from Mr. Moore.

Ms. Devers provided the agreement between Lincoln County and the Lincoln Community Nursing Home for use of the Outback Express bus, which the county signs every year. However, there have been some issues and Terry Baylie with COG put together some changes that they feel need to be implemented; such as, the trips scheduled each Friday, and out-of-county doctor appointments. Ms. Devers asked the commissioners to read the agreement and they could discuss it further at the following day's meeting.

Ms. Devers had checked with the commissioners after receiving a request from County Coroner Jennifer Nestor to purchase a new cell phone with a plan including unlimited texting, but the Board felt she should order the basic phone and plan, which is what she did.

Mr. Lyons said he'd spoken with Landfill Manager Mick Jaques more about building the new cell and learned that the 185,000 cubic yards he reported at an earlier meeting was incorrect, and it would be approximately 90,000 instead, which would cost around \$125,000 to have dug. They discussed equipment and since District One is considering purchasing a new mower tractor, Mr. Lyons felt they may be able to sell their old one to the landfill. Chris Monks will do some

checking to see if they can afford it and will also check with Tri-County to see if someone can come and look at the old scraper at the landfill to see if there is any value left in it.

After lunch, Ms. Devers said that she had heard back from Brett Moore and he said there is no bill at this time; he would simply like a commissioner to give testimony for informational purposes only.

The commissioners approved the January 2014 payroll and expense vouchers for the month and then, with no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on January 31, 2014.

Corinne M. Lengel, Clerk to the Board

Ted Lyons, Chairman