

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

9:00 Call to order and Pledge of Allegiance

9:00 Nick Stewart, owner of Flatland Services, LLC, to discuss the installation of a grinder at the county jail

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

1. Approve the minutes from the April 29, 2014 meeting
2. Review a letter from the Colorado Department of Revenue concerning the \$20.00 surcharge collected from out of county residents who use the county's driver examiner's office
3. Review a letter from the Northeast Colorado Travel Region requesting \$500 in dues for 2014
4. Review an amendment application submitted to the Division of Reclamation, Mining and Safety for the Higgins Pit II
5. County Commissioners' reports
6. County Administrator's report
7. County Attorney's report
8. Old business
9. New business
10. Approve additional expense vouchers if necessary

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

Chairman Lyons called the meeting to order and asked Sheriff Tom Nestor to lead the Pledge of Allegiance, and then Nick Stewart, owner of Flatland Services, LLC, met with the Board to discuss the installation of the grinder at the county jail. Since the county will be tax exempt for materials, the cost of the grinder itself will be \$7,000 less than originally quoted, in addition to a lower cost for materials from Limon Electric. Mr. Lyons asked about electricity and Mr. Stewart said they will install a back-up generator that will also cover the Victim Advocate Center, which currently is not on a generator. He added that under harsh conditions the blades are supposed to last for five years, but they could probably plan on at least seven. Mr. King asked if the blades are hard to replace and Mr. Stewart said he was told that they aren't, but added that he has never done this type of work before, so as far as maintenance on the unit, he wasn't sure. He was told that someone would come out and train him, and Sheriff Nestor suggested having Travis Nall learn how it operates as well.

Sheriff Nestor also repeated that he doesn't believe that installing the grinder will fix Carol Garrison's problems completely, and he did speak with Bill Crossman again after the last meeting to try and convince him that they should put in a back-flow preventer for additional protection. However, he didn't believe that they would do so.

Mr. Stewart felt that they should keep the 10% contingency in the quote to be on the safe side, but said that the overall project may be much less than originally estimated. With the savings on sales tax alone, the quote decreased from \$108,875.75 to \$101,175.75, and he thought it could end up around \$90,000. Ms. Devers asked if he needed to have checks written right away and Mr. Stewart said it would be helpful since they are already looking at not starting until late August or early September.

When Mr. Stewart left, Sheriff Nestor informed the Board that he has had another road deputy resign and wanted to know if it would be acceptable to hire a couple of reservists that he uses occasionally to cover the road. Tracey Smalley, a retired Adams County officer, has helped out on occasion, and there may be someone else that he can get to come out and help as well, although he will have to pay them for their time. The commissioners told him that he could do whatever he felt necessary to keep the county covered.

Mr. Stone made a motion to approve the minutes from the meeting held on April 29, 2014, as submitted. Mr. King seconded the motion, which carried unanimously.

The Board reviewed a letter from the Colorado Department of Revenue concerning the \$20.00 surcharge collected from out-of-county residents who use the county's driver examiner's office, and Mr. Lyons said his opinion was to continue to collect the fee until the county is told to stop, but added that they could speak with Mr. Kimble about it later in the day. Ms. Lengel said she had spoken with Mr. Kimble and sent a response to the Deputy Executive Director at DOR,

which she also shared with the Board. Again, Mr. Lyons said that he didn't feel like the county should stop collecting the fee.

A letter from the Northeast Colorado Travel Region requesting \$500 in dues for 2014 was reviewed but the Board chose not to pay the dues, and then they reviewed an amendment application submitted to the Division of Reclamation, Mining and Safety for the Higgins Pit II.

At 10:00 a.m., Human Services Director Colette Barksdale and Robert Kraxberger met with the Board to give the monthly report and while the commissioners reviewed the financial reports, Ms. Barksdale commented that one of the bills they were working on in this legislative session attempts to get criminal code in line with children's code. CCI had originally voted to support the bill with amendments but may pull that support now, as there is no definition for a "drug-endangered child" now that marijuana has been legalized.

Ms. Barksdale attended the Child Welfare Allocation Committee meeting and they discussed a resolution that will hopefully move developmentally delayed people between the ages of 18 and 21 into the adult system, or Community Center Board, using \$2.6 million from the Child Welfare Allocation. Ms. Barksdale believes there will be a cost savings because caseworkers will not have open cases, won't have to go to court or make the visitations required of juvenile cases, and they won't have to certify foster homes for that age group.

Ms. Barksdale then discussed the changes in staffing she is facing and requested moving one part-time position to a full time position in order to help the department meet state required goals. She added that there will actually be a cost savings right now of \$12,816, due to the retirement of one employee and where others are situated on the pay scale. The state has also increased the funding for the Affordable Care Act by approximately \$19,000 to handle the increased caseload it has caused.

The group discussed day care issues in the county and various possibilities or solutions, and then Mr. King made a motion to approve the changes Ms. Barksdale proposed in her staffing positions and budget. Mr. Stone seconded the motion, which carried unanimously.

Mr. King reported testifying at the capitol on April 9 regarding changing the number of state representatives to one per county, commenting that he really enjoyed doing it, but the bill has been postponed indefinitely. He reviewed the road complaints given to him by County Assessor Jeremiah Higgins and said that two are simply name changes and the rest are the issues that have already been addressed between Brents and Dale Bode, which he feels should be dealt with in court. Mr. King said he'd also noticed where the attempt Kiowa County had made to get a limited stakes gambling casino was also postponed. Ms. Devers said she had sent a letter of support to all of the people on the committee.

Mr. Stone reported receiving a call on April 22 from Tanner Nevius regarding dirt blowing from Scot Oliver's property so he went and looked at it and took some pictures, which he had

showed the Board the previous day. He also checked roads on April 28 to see where other issues may be with blowing dirt.

Mr. Lyons reported checking roads on his list on April 15, and on the Sixteenth he attended the Southeast Colorado Recycling meeting and said that things seem to be improving. He checked on County Road 26 and the "oil patch" on April 22, and on the Twenty-third Jay Jolly stopped by to discuss what he called a "county lane" that he wasn't sure is on the county's road map. On April 24, Mr. Lyons checked County Road 31 and also attended the hospital board meeting. They are still having a few computer problems but not as many as before. There was also some discussion about day care facilities and they were going to look at the Catholic rectory. Mick Jaques had also reported wind gusts of over 90 mph at the landfill.

At that time, District One foreman Chris Monks stopped in and Mr. Lyons said he'd spoken with him yesterday about the scraper at the landfill. Chris said Tri-County offered \$6,500 for it and when he told them CAT offered \$7,500 he said they would match that and come and pick it up. The Board agreed it was a good deal and he should accept it. As for the mower for the fairgrounds, Chris said they only had one last month at the auction but it went for more than what the county had said they wanted to pay. Mr. Lyons asked if they should increase the amount to \$6,500 and the others agreed. Finally, Chris said he had purchased two loads of fuel recently and the price was holding steady at \$3.30 a gallon. He suggested that the commissioners tell their road foremen to watch their quantities and they could possibly split loads if necessary.

Ms. Devers reported speaking with Chip Taylor at CCI who asked if the county would reconsider joining NACO since El Paso County Commissioner Sallie Clark will be the president next year, and she will get more board appointments if all counties become members of the organization. Mr. King said he felt it would be a good idea for Lincoln County to join NACO.

Ms. Devers also reported that she'd attended the Retac meeting via phone conference and Tim Dienst with Black Forest Fire/Rescue encouraged everyone to write to their representatives requesting support of H.R. 809 and H.R. 1791 to help strengthen Colorado's and the nation's EMS system. The commissioners signed letters to Congressman Cory Gardner and Senators Mark Udall and Michael Bennet. Ms. Devers also said that they voted to give Kim Schallenberger a pay raise next year; if they have the funds available they will pay for it rather than ask counties for the increase.

Energy Impact grant applications are due August 1 and Ms. Devers gave the commissioners some information from Rio Blanco County, who has imposed impact fees of \$5,000 on shallow oil and gas wells and \$6,000 on deep oil and gas wells. They also had a study done and other administrative facilities can also be impacted by oil and gas production, not just roads.

Mr. Kimble reported on the inmate complaint, stating that the court rejected the original complaint and told him that it needed to be amended and re-filed. The inmate did amend the complaint, but Mr. Kimble is still hopeful that Mr. Vaughn will get the case dismissed.

Mr. Kimble had a draft of the Road Policy that he distributed to those present, cautioning that they not be shared with anyone until the policy is actually approved. He said it would be best to adopt the policy and update the official county road map at the same time. Ms. Devers will schedule the road foremen to come to the next meeting so that it can be discussed.

As for the farmer who plowed the county road last fall, Mr. Kimble said that they had asked for a settlement conference early on and as he sees it there are two issues: one, if the farmer plowed up the road (and there are pictures of that for proof); and two, what actual cost he owes to the county for repairs made to the road. Mr. Kimble asked Ms. Devers if she could help calculate those numbers.

The Board discussed the \$20 surcharge on driver's license documents issued to out-of-county residents, and Mr. Kimble said he would send a request to Ms. Copp asking for an MOU with the Department of Revenue. The commissioners agreed that they would continue to charge the surcharge until further directive from the state.

Mr. Stone asked Ms. Devers to see if any of the other departments might have a computer that they were no longer using and that could be given to his road foreman, Monty Mattson, as his is still using the Windows 95 operating system. She said she would send an email.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on May 7, 2014.

Corinne M. Lengel, Clerk to the Board

Ted Lyons, Chairman