

Board of County Commissioners of Lincoln County
Agenda for July 18, 2014

9:00 Call to order and Pledge of Allegiance

9:00 County Assessor Jeremiah Higgins to give a report on preliminary property values and to provide further information on the state assessed values

10:00 Todd Ritchie with Cascade Petroleum, LLC to discuss a seismic and lease option on county property

1. Approve the minutes from the July 8, 2014 meeting
2. Review a letter from the Colorado Office of Economic Development and International Trade stating that the grant with Lincoln County for the Community Development Block Grant has been approved
3. Review the June reports from the Assessor and the County Clerk
4. Review the June reports of revenues and expenditures for County General, Public Health, Road & Bridge and the individual road districts
5. Review and sign the Discharge Monitoring Reports for the county landfill for the 2nd quarter of 2014
6. Review and sign an updated Emergency Mutual Aid and Assistance Agreement with the Colorado Department of Public Health and Environment for Public Health
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 July 18, 2014. The following attended: Chairman Ted Lyons, Commissioners Greg King and Doug Stone, County Administrator Roxie Devers, and acting Clerk to the Board Lisa M. Crawford. County Clerk Corinne M. Lengel was absent and excused, and County Attorney Stan Kimble attended the meeting at 11:00 a.m.

Chairman Lyons called the meeting to order and asked Assessor Jeremiah Higgins to lead the Pledge of Allegiance. Mr. Higgins then passed around his preliminary property values and explained information on the state assessed values. He pointed out that all the assessed property values had gone up from 2013 with oil and gas going up 98%. Before Mr. Higgins left, Mr. Lyons inquired how the new computer system was working within his office and Mr. Higgins replied it is doing well.

Mr. Stone moved to approve the minutes from the July 8, 2014, meeting as submitted. Mr. King seconded the motion, which carried unanimously.

Next, the commissioners reviewed a letter from the Colorado Office of Economic Development and International Trade stating that the grant with Lincoln County for the Community Development Block Grant has been approved.

The Board then reviewed the June reports from the Assessor and the County Clerk's offices and also the revenues and expenditures for the County General, Public Health, and Road & Bridge funds, as well as the individual road districts.

Ms. Devers then presented the Discharge Monitoring Reports for the county landfill for the second quarter of 2014 for signatures.

Mr. Lyons called for commissioner's reports and Mr. Stone began by stating he had checked roads on July 8 and again on the 18 with road foreman Monty Mattson. On July 14, he attended the transportation meeting in Limon where they discussed concerns over the widening of State Highway 71. From July 13 through July 18, his district has lost a total of five county roads and numerous others have been damaged due to the heavy rains. On July 15, he again checked roads and washouts and on July 18 met at the county shop to discuss a plan for the repairs to the roads in his district. He then advised the Board that his district has 7-10 active oil well permits and there is heavy truck traffic using County Hwy 63. They are watching a sagging bridge in that area closely.

Mr. Lyons then interjected that he wanted to discuss a counter proposal for the seismic and oil and gas lease on county property before the 10:00 appointment with Todd Ritchie with Cascade Petroleum, LLC. He suggested the commissioners counter offer the lease with \$40.00 per acre on a 3-year term, with the option to continue it for another 2 years at \$40.00. After a brief discussion, all commissioners agreed to this option and they continued on with commissioner's reports.

Mr. King reported that he attended a video conference at Centennial Mental Health on July 10, and on Friday, July 11, he received a call from Pro Ag about several gates of county residents being locked which meant they couldn't into those fields to spray. Mr. King advised they visit with NextEra to work it out and that NextEra had worked well with other landowners. On July 17, he attended a meeting with Cathleen Murray, administrator for the Elizabeth and Limon CMH offices, in which he expressed concerns with the outreach services in Lincoln County, as well as other topics. On July 12, Mr. King took grocery items to the Baby Bear Hugs luncheon at the golf tournament in Limon.

Mr. Lyons reported that, on July 16, he attended the recycling meeting in Las Animas and they received a profit for this period. He also had a conversation with a resident who is concerned with the number of autistic children reported in this area by Eastern Colorado Services for the Developmentally Disabled, as the number seemed lower than what the resident was personally aware of.

At 10:00 a.m., Todd Ritchie with Cascade Petroleum, LLC arrived to discuss a seismic and lease option on county property. He began by presenting the proposal for an oil and gas lease; however, Mr. Lyons advised him that they would like to present a counter offer. Mr. Lyons then presented him the option previously discussed and Mr. Ritchie excused himself to speak to his main office in order to return with an answer.

Ms. Devers then gave her report and advised the Board that they will be having lunch with the new 18th Judicial District Chief Judge on September 2. Mary Keyes sent a copy of Yuma County's regulations for wind farms to Land Use Administrator John DeWitt, who copied them for the commissioners. On July 15, she attended a Retac meeting via phone, where she learned of some updates but nothing significant. On July 16, she attended a pre-construction meeting on the roundhouse project.

Next, Ms. Devers passed out the applications for the part time janitorial position for review. After studying them, it was decided to interview three of the applicants at the next board meeting on July 30.

At 11:00 a.m., County Attorney Stan Kimble arrived at the meeting and reviewed the updated Emergency Mutual Aid and Assistance Agreement with the Colorado Department of Public Health and Environment for Public Health. He signed the agreement as council and Public Health Director Sue Kelly will sign it also.

He then updated the commissioners on his review of the proposed Cascade Seismic Permit and Lease Agreement and Memorandum. He stated that the lease shall not exceed five years as permitted by law, and he agreed with their proposal of the counter offer for the lease.

Todd Ritchie then returned to the meeting to advise the Board that his company had accepted the commissioners' counter offer for the oil and gas lease on county property. He had revised the contracts and had them ready for approval. Mr. Ritchie explained that the terms of the

new contract are as follows: The memorandum of oil and gas lease would be a 3-year lease at the rate of \$40.00 per acre with the option to continue for another 2-year period at the end of the first lease. He added that the acres increased to include 1,341.76 gross acres and 142.248 net acres with a payment of \$5,689.92 to be paid to the county.

Mr. Stone moved to sign the contract. Mr. King seconded the motion and it carried unanimously.

The contract was signed and notarized and Mr. Ritchie advised the Board that he would finish the signatures and have it recorded properly.

In old business, Ms. Devers asked commissioners King and Lyons questions pertaining to their upcoming County Road 109 projects to complete the Energy and Mineral Impact Assistance Grant.

Mr. Stone moved to cancel check number 26098 to Complete Wireless Technologies in the amount of \$115.75, issued on July 7, 2014, as it was paid twice. Mr. King seconded the motion, and it carried unanimously.

Chairman Lyons then called for new business and Ms. Devers presented the idea of adopting a disaster declaration for the flooding in the southern part of the county. Five roads have been totally washed out and approximately twenty-five other roads are in need of repairs. Mr. Stone also reported several culverts washed out. After a brief discussion, all commissioners agreed to the declaration.

Ms. Devers excused herself to get the resolution ready and upon returning, Mr. Stone moved to adopt a resolution approving the Lincoln County Flood Event Disaster Declaration. Mr. King seconded the motion and it passed unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado held in Hugo, Colorado on July 18, 2014, there were present:

Ted Lyons, Chairman	Present
Greg King, Vice Chairman	Present
Douglas D. Stone, Commissioner	Present
Stan Kimble, County Attorney	Present
Corinne Lengel, Clerk of the Board	Absent & Excused
Roxie Devers, County Administrator	Present

when the following proceedings, among others, were had and done, to-wit:

LINCOLN COUNTY FLOOD EVENT DISASTER DECLARATION

RESOLUTION #883 It was moved by Commissioner Stone and seconded by Commissioner King to adopt the following resolution:

WHEREAS, southern Lincoln County suffered serious damage to roads and culverts from excessive and unreasonably heavy rains which occurred on July 14, 2014 and July 16, 2014; and

WHEREAS, the rainfall amounts for the two days were between 10” to 11”, causing damage to approximately twenty-five county roads. Two 6’ x 40’ culverts were washed out on County Road T and two 6’ x 40’ culverts on County Road 2 have been exposed and it is unknown at this time if repairs can be made to them. Roads temporarily closed are County Roads J and T, County Road 2 at County Road B and County Road 17 between County Roads M to F; and

WHEREAS, the cost and magnitude of responding to and recovering from the impact of the ensuing event is far in excess of the county’s available resources; and

WHEREAS, the Board of County Commissioners hereby finds, determines and declares that adoption of this resolution is necessary for the preservation and protection of the public health, safety and welfare of the inhabitants of Lincoln County, Colorado.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners that southern Lincoln County is hereby declared to be a disaster area and that an emergency exists in that portion of the county.

Upon roll call the vote was:

Commissioner King, Yes; Commissioner Stone, Yes; Commissioner Lyons, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

Ted Lyons, Chairman

Greg King, Vice Chairman

ATTEST:

Acting Clerk of the Board

Douglas D. Stone, Commissioner

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on July 30, 2014.

Lisa M. Crawford, Acting Clerk to the Board

Ted Lyons, Chairman