

Board of County Commissioners of Lincoln County  
Agenda for July 31, 2014

9:00 Call to order and Pledge of Allegiance

9:00 Land Use Administrator John DeWitt to discuss the building permit process and other land use issues

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

11:00 Public Health Director Sue Kelly to give her monthly report

1:30 Conduct a hearing on adoption of the Onsite Wastewater Treatment Systems regulations

2:30 County Auditor Ronny Farmer to present the 2013 audit of the county's financial records

1. Approve the minutes from the July 30, 2014 meeting
2. Review two letters from Nereo GC Lincoln, LLC notifying mineral estate owners of their application for the construction of a wind farm consisting of 175 wind turbines
3. Review and approve the application from Lincoln Community Hospital Transport Service to operate as an advanced life support service
4. County Commissioner reports
5. County Administrator's report
6. County Attorney's report
7. Old business
8. New business
9. Approve additional expense vouchers if necessary

The Board of Lincoln County Commissioners met at 9:00 a.m. on July 31, 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 1:00 p.m.

Chairman Lyons called the meeting to order and asked Land Use Administrator John DeWitt to lead the Pledge of Allegiance. Mr. DeWitt was asked to come to the meeting to better explain the building permit process. He then passed out a Building Valuation Data Worksheet used when issuing a building permit and explained the flow of the permit process, giving examples of permit rates for different instances. He went on to explain the differences of replacing an existing structure with another existing structure, where no permit is required, or putting in a brand new building.

Before Mr. DeWitt left, he alerted the board of the fact that he had been contacted by Pioneer Natural Resource USA Inc., as discussed previously. Limon Wind III has apparently not followed through with contacting the oil and gas companies who hold the leases on the land in question. Next Era contacted them, but agreements have not been reached with all of the companies.

After Mr. DeWitt left, Ms. Devers passed out two letters from Nereo GC Lincoln, LLC, notifying mineral estate owners of their application for the construction of a wind farm consisting of 175 wind turbines for review.

The commissioners then reviewed the application from Lincoln Community Hospital Transport Service to operate as an advanced life support service. After review, Mr. Stone moved to adopt a resolution approving the Lincoln Community Hospital Transport Service to operate as an advanced life support service. Mr. King seconded the motion and it carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado held in Hugo, Colorado on July 31, 2014 there were present:

Ted Lyons, Chairman	Present
Greg King, Vice Chairman	Present
Douglas D. Stone, Commissioner	Present
Stan Kimble, County Attorney	Absent & Excused
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:

**RESOLUTION #884** It was moved by Commissioner Stone and seconded by Commissioner King to adopt the following resolution:

**WHEREAS**, pursuant to the Colorado Emergency Medical Services Act, Section 25-3.5.101, et seq., C.R.S., the Board of County Commissioners has the authority to establish requirements for the

inspection, licensure, and operation of ambulance services, ambulance personnel, and ambulance vehicles operating in the county; and

**WHEREAS**, the Lincoln County Commissioners adopted Resolution #651 and thereby established rules and regulations governing the licensure of ambulance services operating within Lincoln County; and

**WHEREAS**, the Lincoln Community Hospital Transport Service has presented the Board of County Commissioners with an application to license the ambulance service and to permit their ambulances as advanced life support; and

**WHEREAS**, upon review the Board of County Commissioners determined that the documentation presented met the rules and regulations established under Resolution #651;

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Lincoln County that the Lincoln Community Hospital Transport Ambulance Service is hereby authorized to provide ambulance service in Lincoln County with permitted advanced life support ambulances.

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

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ATTEST:

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Acting Clerk of the Board

A call was taken from Dawson Geophysical inquiring if the commissioners had reviewed the seismic application for land which the county owns. They assured him they would be reviewing the document and ask him to the next meeting to discuss it.

Chairman Lyons then asked for commissioner reports and Mr. King stated that on July 18 he had discussed bids for the energy impact grant with District Two Road Foreman Mark McHone. On July 21, he attended the Economic Development meeting in Limon where they discussed the Bella's Market situation. They also discussed the Foreign Trade Zone and were hopeful for the approval for publication soon. On Wednesday, July 23, he received a call from the town of Arriba asking if Lincoln County would be interested in some of the playground equipment that

they were replacing at their town park. He thought the county might be able to use it at the fairgrounds. On July 24, he spoke to Mr. McHone about an incident at the District Two shop in which an employee was cleaning a drainage ditch behind the shop and accidentally hit the side of the shop, causing minor damage that would need to be repaired. On July 28 he checked roads and wind towers north of Arriba.

Mr. Stone reported that on July 21 he received a call from Jane Oliver who reported a washed-out road near her home. On July 22 he checked on a bridge with District Three Road Foreman Monty Mattson that was repaired from the previous storm and had washed out again. They put up signage until it could be repaired. On July 23, Mr. Stone received a call from a Karval resident who wondered if the county road crew could help him remove some tires from his property with a county loader. The commissioners discussed it, but no decision was made. On July 28, Mr. Stone checked roads and oil wells and noticed the roads near the oil wells are getting a lot of traffic.

Mr. Lyons spoke to District One Road Foreman Chris Monks on July 18 regarding the backstop at the landfill. On July 21 he checked oil wells, and on the Twenty-second had a discussion with Kerry Halde about the possibility of crossing their land on the east side of town in order to connect the fairgrounds with the town septic system. On July 23 he received a call from Brian Milburn regarding a ditch that has washed out near County Road 3D and County Road 45. On July 24 he attended the Lincoln County Hospital Board Meeting, and on the Twenty-ninth he received a call about water running on the road at County Road 2W and 7-mile corner, so called and alerted Chris Monks. On July 30, Fairgrounds Manager Julie Joffe called to advise him of a leak on the north side of the events center during a recent wind and rain storm.

At 10:00 a.m., Human Services Director Colette Barksdale and Robert Kraxberger arrived to give their monthly report. Ms. Barksdale passed around her monthly reports and then updated the Board on the staff changes within her office. She stated that Nicki Poulos, Larissa Gosser, and Sarah Carter were hired within the last month to replace the employees who had left.

She then informed them of the new contract between her Department and Centennial Mental Health. She stated that there was a change in it to state they would now be paid as a fee-for-service rather than the flat rate. Ms. Barksdale went on to explain an issue with Cheyenne County's opposition to signing the contract and that if they could not resolve it, there would need to be a change in the contract with the counties that wanted to participate.

Next, she stated that she was also working on a contract for the Citizens Review Panel that still needed signatures from two counties who were also stalling in signing. She stated that it was required by law and that they were delinquent in completing that contract. She then let the Board know that the yearly school supply project was going well, as all the supplies have been delivered to the schools with the exception of the Genoa-Hugo School who did not have a place to store the supplies yet.

Lastly, she informed the commissioners that because of the mandatory child abuse hotline that is starting statewide in January, she has had Gary from Frontier Telephone add a separate line to her office that will be used strictly for the hotline. It would also be directly tied to the sheriff's office.

Once Ms. Barksdale left, Mr. Lyons called for the administrator's report. Ms. Devers advised the commissioners that a resident had some leftover money from a memorial fund and wanted to give it to Lincoln County Hospice. In order to do that they would need to be a 501c3 and because they are not, the resident wanted to give it to the county and, in turn, have Ms. Devers give it to Hospice. Ms. Devers also informed the Board that she was still working with County Attorney Stan Kimble in reviewing the agreement with Spectrum Contractors who would be doing the work on the doors and windows at the roundhouse.

With no old or new business to discuss they moved on to the 11:00 a.m. appointment with Public Health Director Sue Kelly who gave her monthly report, updating the Board on her department's July activities. She received some large banners for the STEPP program to quit smoking and asked if she could post one at the fairgrounds during the fair. The commissioners did not have a problem with this. She then informed them of the new Baby & Me, Tobacco Free Program with four participants, and plans for a revision to case review in Adult Health and the Adult Protection Team. Before Ms. Kelly left, she informed the Board that she would be posting a notice about West Nile throughout the county.

The Board then broke for lunch and resumed at 1:30 p.m. with a hearing on the adoption of the Onsite Wastewater Treatment Systems Regulations. County Attorney Stan Kimble joined the meeting at that time.

Rob Fager with Rob's Septic Service joined the meeting and Commissioner Lyons began the hearing. Mr. Lyons asked Mr. Fager to explain the wastewater treatment systems regulations and the process of inspections of waste water disposal, and Ms. Devers passed out copies of the Kit Carson County Health & Human Services On-Site Wastewater Treatment Systems Regulations. Mr. Fager reviewed the regulations along with the Board and after a brief discussion advised them that he felt the information was correct with the regulations as he knew them. Mr. King made a motion to adopt a resolution adopting the On-Site Wastewater Treatment Systems Regulations. Mr. Stone seconded the motion, which carried unanimously.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado held in Hugo, Colorado on July 31, 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:

**RESOLUTION #885** It was moved by Commissioner King and seconded by Commissioner Stone to adopt the following resolution:

**WHEREAS**, the Colorado State Legislature amended the On-site Wastewater Treatment Systems Act, 25-10-101, et seq., to establish minimum standards and rules for such systems and to provide authority for the administration and enforcement of the standards and rules; and

**WHEREAS**, on October 7, 1996, the Lincoln County Board of County Commissioners adopted Ordinance No. 374, which established rules and regulations for Individual Sewage Disposal Systems; and

**WHEREAS**, the On-site Wastewater Treatment Systems Act requires adoption by the Board of County Commissioners to enact the amended standards and rules; and

**WHEREAS**, a public hearing, which was advertised per statutory requirements, was conducted and comments taken and considered;

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Lincoln County that the On-site Wastewater Treatment Systems Act, 25-10-101, et seq., as amended, is hereby adopted and becomes effective immediately.

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

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ATTEST:

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Acting Clerk of the Board

The Lincoln County Board of Health then adopted the Kit Carson County Health & Human Services On-Site Wastewater Treatment Systems Regulations.

At 2:30 p.m., County Auditor Ronny Farmer met with the Board to review the 2013 audit of the county's financial records. County Treasurer Jim Covington joined the meeting at this time. Mr. Farmer began by passing out his 2013 audit and reminding the Board that although management is responsible for county financials, it is ultimately the Board of County Commissioners that is responsible. He also reviewed the main financial statements; no funds were overspent in 2013 and there were no violations, and Mr. Farmer stated that all the reporting, internal control, compliance and separation of duties are all very good. He stated that the county had done a good job of budgeting and following the budget. He felt the county was in excellent shape and, before closing, reiterated that most problems arise in the departments that handle money on a daily basis; therefore, their policies and procedures should be reviewed periodically.

Ms. Devers asked him about paying for Road & Bridge equipment out of Capital Projects and about building a reserve for a new cell at the landfill out of there, as well. He said yes to both and suggested to the commissioners that they pay off the leases since they're paying more interest than what they're getting.

Chairman Lyons then called for the County Attorney's report and Mr. Kimble alerted the Board that he had recently completed a deposition for a legal case in which the county was involved. He then stated he was advised by Land Use Administrator John DeWitt that there were some questions regarding the miscommunication between Pioneer Natural Resources and Limon Wind III. Mr. Kimble stated he felt Next Era and the oil and gas companies were trying to communicate through the county instead of directly with each other.

Mr. Kimble then reviewed the letters from Nereo GC Lincoln, LLC, notifying mineral estate owners of their application for the construction of a wind farm consisting of 175 wind turbines, stating he would take a copy with him for further review. He then advised the Board that he had reviewed the Spectrum contract and felt it was okay.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on August 6, 2014.

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Lisa M. Crawford, Acting Clerk to the Board

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Ted Lyons, Chairman