

Board of County Commissioners of Lincoln County  
Agenda for November 17, 2014

9:00 Call to order and Pledge of Allegiance

9:00 Coroner Elect Andy Lorensen to discuss his 2015 budget request

9:30 Centennial Mental Health Executive Director Liz Hickman to discuss the Service Agreement that the Commissioners are being requested to sign

10:00 Public Health Director Sue Kelly to give her monthly report

10:30 Hugo Mayor Patsie Smith and some of the Town Board members to explain their reasons for discontinuing financial support to Lincoln County Economic Development Corporation

11:00 County Treasurer Jim Covington to request adoption of a resolution to cancel tax lien sale certificates that are over 15 years old

1. Approve the minutes from the November 7, 2014 meeting
2. Review the October reports from the County Clerk, Sheriff and Treasurer
3. Review the October reports of revenues and expenditures for Capital Projects, Conservation Trust, E911, Landfill, Library, and Lodging/Tourism
4. County Commissioner reports
5. County Administrator's report
6. County Attorney's report
7. Old business
8. New business

The Board of Lincoln County Commissioners met at 9:00 a.m. on November 17, 2014. The following attended: Chairman Ted Lyons, Commissioners Greg King and Doug Stone, County Administrator Roxie Devers (until 11:30 a.m.), Clerk to the Board Corinne M. Lengel, and commissioner-elect Ed Schifferns. County Attorney Stan Kimble attended in the afternoon, and Will Bublitz with the Limon Leader and Eastern Colorado Plainsman attended the discussion regarding the Lincoln County Economic Development Corporation.

Chairman Lyons called the meeting to order and asked coroner-elect Andy Lorensen to lead the Pledge of Allegiance.

The Board went over Mr. Lorensen's 2015 budget again, Mr. Lyons stating that he was not interested in renting a building that would only be used a few times a year to meet with families of deceased parties. Instead, Mr. King suggested that Mr. Lorensen find something within the courthouse, such as the commissioner meeting room, the lounge, or even the jury assembly room. Mr. Lorensen said he would need space for a filing cabinet and would prefer a desk where he could use his laptop, and the commissioners told him his best option would be either their room or the lounge, which both have desks. Mr. Lyons added that the commissioners' room also has a telephone, but Mr. Lorensen said they all use their cell phones. Mr. Lyons asked how many times per year he or deputies would need to use the room, and Mr. Lorensen had no idea but guessed possibly ten-to-fifteen cases per year. Ms. Devers asked if he would meet with a family at their own home if they were local and Mr. Lorensen said that would also be a possibility. She added that Sheriff Nestor does have a conference room in the jail that could be used, and Mr. King put in that Mr. Lorensen may want to talk to Dave Stone with the town of Limon about possibly using their mayor's office. Mr. Lorensen said he would prefer to have a key to wherever he uses so that he doesn't have to bother someone, and disliked having to meet with a bereaved family at the jail complex.

Mr. Stone suggested that Mr. Lorensen try using the commissioner's office or lounge for his first year in office, and if he doesn't feel that it is working out, he can request something else next year. He added that he could get a locking filing cabinet and Mr. Lorensen asked if they had left that amount in his budget. Ms. Devers told him they had left \$550 for the camera and \$500 for a filing cabinet in the Equipment line item.

Mr. Schifferns asked Mr. Lorensen how he felt about the situation and was told the only possible conflict with using the commissioner meeting room would be if it were occupied when he needed to meet with a family. Also, he wanted to know if it would be permissible for his deputies, some of whom are not county employees, to use the commissioner room when they are on call and need a place to do paperwork if it is after hours and the courthouse is closed. Mr. Lyons said he personally would not be in favor of giving keys to deputies who are not employed by Lincoln County. Ms. Devers asked if those deputies could then use the sheriff's office if they were not meeting with a family but simply doing paperwork and Mr. Lorensen will check with Sheriff Nestor to see if it would be acceptable. The group discussed where the laptop would be kept if Mr. Lorensen were out of town and needed a deputy to cover for him and Ms. Devers said he could certainly keep the computer with him and pass it on to whoever is

on call when he is away. She asked the commissioners if they would not trust his deputies to use their room when two of them are county employees and two others are those employees' spouses. The Board agreed that it would be acceptable to allow the deputies to use their meeting room the few times that the situation would likely occur.

On a different topic, Mr. Lorensen asked if the training for new coroners that he is required to attend next month will be paid for out of his 2015 budget or Jennifer Nestor's current budget. Ms. Devers told him the fees will be paid for out of the current budget.

Lastly, Mr. Lorensen asked why the deputy salary line item had been reduced from \$3,750 to \$1,950 and was told it was because the county would not pay for on-call hours for the deputies.

At 9:30 a.m., Centennial Mental Health Director Liz Hickman met with the Board to discuss the Service Agreement that the commissioners are being asked to sign. Mr. King shared a letter from the Elbert County board of commissioners that stated their county would not be entering into the 2015 agreement with CMH due to budget constraints. Ms. Hickman explained that the agreement was discussed in detail at the Eastern District meeting and stated that the Centennial board had agreed to move toward a more contractual feel of the process. The contracts are still based on county valuation, population, and units of service delivered, and although there have been modest increases over the years the last real increase was in 2008. Centennial hopes to continue to support three areas with the county contracts; indigent care, emergency response, and disaster response.

Mr. Lyons wanted to know why Elbert County is not being held accountable and paying their requested share. Although Ms. Hickman agreed that it is unfair, she also said CMH is limited to what they can do about it. The state requires that specific services must be made available in each county since much of the funding is state grant money. Elbert County is on a sliding fee schedule, which CMH does not get money from, and even though they do get some of the jail booking fees, it is a small amount compared to what has been requested. If they do not respond to a call they would be out of compliance with the State of Colorado as well as Medicaid, so simply not responding is really not an option. Part of their future plan with Elbert County is to bill them on a fee-for-service basis if their jail booking fees don't cover service assessments at the jail.

Ms. Devers asked what the requested amount is for Elbert County and Ms. Hickman responded that they asked for \$28,925 in 2014 and have received approximately \$1,500. Lincoln County's requested amount is \$10,628 for 2015. Ms. Hickman hopes that changes will occur when the new Elbert County commissioner takes office in January, as there is little support of CMH with the current board.

Mr. King commented that he did not believe Lincoln County is being treated fairly and felt that the director should be located in Lincoln County rather than Elbert County. Ms. Hickman wasn't sure what good that would do when the director doesn't actually live in either county, adding that the service delivery in Lincoln County is adequate or actually growing. Mr. King argued

that it would benefit Lincoln County taxpayers more if some of the employees or the director position were moved from Elbert County if they are not going to pay their fair share. His other suggestion was to remove them from the ten-county region completely and move them into the metro region. While Ms. Hickman understood the frustration, she responded that not only do CMH contracts include Elbert County, but several of the state contracts do as well, so everything would have to be re-written if they were to be taken from the region. She added that counties are not required to contribute to their mental health but must be covered by a community behavioral health center. Ms. Devers wanted to know what Centennial does to cover the reduction in revenue and if services in Lincoln County would be affected if the Board chose not to sign the contract like Elbert County did. Centennial would still be required to serve and respond to all Medicaid related and emergency and respite calls, but the services may be reduced as far as mental health calls in the jail. Ms. Devers suggested that the commissioners bring the topic up during their eastern district meeting at conference.

Mr. King wanted a guarantee that services are not reduced in Lincoln County if the contract is signed and the requested amount paid, adding that he thinks Elbert County needs to be held accountable. Ms. Devers commented that as the budget officer, she could not imagine having to prepare a budget for Elbert County based on what they have been through the past several years. Although she agreed that the county's non-contributions upset her as well, she stated that if they simply do not have the money, there is nothing that can be done.

Mr. King commented that their problems are self-inflicted because they've fought wind and oil development, and Ms. Devers stated that many of their problems were caused by previous boards of county commissioners.

Ms. Hickman stated that Centennial does not redistribute what they believe Elbert County should be paying among other counties; they simply do not get the money at all. Since the county contributions total roughly \$170,000, the other \$30,000 is made up from grant money and other resources. Lincoln County's contribution amount is not increasing simply because Elbert County is not paying.

Mr. King said he hopes that the new commissioner will be more supportive of CMH and although he fully intends to sign the contract, he wanted it known that he disagrees with how Elbert County is being treated. Ms. Hickman said she would like to be made aware if there are any problems or issues that arise or if Centennial is lacking somewhere specifically.

Mr. King made a motion to approve the 2015 Service Agreement with Centennial Mental Health in the amount of \$10,628. Mr. Stone seconded the motion, which carried unanimously.

At 10:00 a.m., Public Health Director Sue Kelly met with the Board to give her monthly report and ask for signatures on the Core Immunization contract with the state. She explained that they are changing it from a Task Order to a Statement of Work and the amount is \$9,089. Mr. Stone made a motion to sign the Core Immunization Contract Statement of Work, Mr. King seconded the motion, and it carried unanimously.

Ms. Kelly then reported on vital records, communicable disease cases and immunizations, WIC, STEPP, Baby & Me, Tobacco Free, Child Health, Mental Health and EPR for the month of October.

At 10:30 a.m., Hugo Mayor Patsie Smith and town board members Dave Dobbs and Bill Rusher met with the Board to explain their reasons for discontinuing financial support of the Lincoln County Economic Development Corporation. Jim Herron, President of LCEDC, Ben Orrell, Chairman of the Hugo Economic Development Group, and Brenda Dutro, vice-chair of Hugo Improvement Partnership (HIP) also attended the discussion. The town has opted out of budgeting for LCEDC in 2015 due to lack of accountability on behalf of the new director, Lisa Nolder. They feel she never seems to be prepared and never follows-up with things once they have been discussed. One of their biggest complaints was that Ms. Nolder was asked to look into the economic pros and cons of a Uniform Building Code within the town of Hugo several months ago, but it has never been done.

Trustee Dave Dobbs spoke up to say that anything that benefits the Lincoln County tax base also benefits the municipalities and his belief is that everyone should be paid based on their performance. It was his belief that the commissioners, who should have an overall vision for the county, should be responsible for overseeing the Economic Development Director. Ben Orrell agreed that the county should control the director, and Ms. Devers asked if they were suggesting that the Lincoln County Economic Development Director should be a county employee and the group affirmed that fact.

Trustee Brenda Dutro also commented that Ms. Nolder had misquoted her on several occasions in her reports and expressed her frustration with how Ms. Nolder insulted her intelligence. Trustee Rusher put in that the town withheld the second half of their payment to LCEDC in the hopes that they might see improvement, which has not happened. They eventually paid the remainder of the contribution, but still do not feel they are seeing any results for the money they have put in.

Mr. Lyons stated that he originally suggested the county contribute \$25,000 and see how it worked out, but Mr. King had disagreed and asked that the county put in the full \$45,000 requested.

Ms. Smith said that Ms. Nolder was supposed to meet with all businesses in the county within her first year as director, but that has not happened due mainly to the various personal issues she has had. She conceded that it has not been a full year, but they were expecting more to be done in the time that Ms. Nolder has had. Mr. Dobbs put in that they understand someone can work hard and still not entice new business into an area, but they feel that Ms. Nolder has not performed to the level that she should have.

Mr. King asked what changes the group would propose other than the director being a county employee. The response was that there should be more reports of specific incidents with business owners; such as, help with certain funding sources or programs that the business

owner may not have been aware of. According to Ms. Smith, there is never any email contact, no updates in the newspapers, and no follow-through after Ms. Nolder does actually meet with someone, so they would like to see that change. Ms. Dutro added that perhaps the director's salary should be prorated based on actual meetings attended or projects completed. Mr. Dobbs added that if LCEDC were a county-run program, the commissioners could set an agenda in order to get back what has been put in by way of contributions, especially since the county has contributed almost three-quarters of the director's salary.

Ms. Smith concluded by saying that they had come to the commissioners because they had not felt it was right to discontinue funding of LCEDC without informing the county.

At 11:00 a.m., County Treasurer Jim Covington met with the Board to request adoption of a resolution to cancel tax lien sale certificates that are over fifteen years old, explaining that it is allowable under Colorado Revised Statute. Mr. King made a motion to adopt a resolution cancelling several Lincoln County tax lien sale certificates due to the fact that they are over fifteen years old and Treasurer's Deeds have not been applied for on them. 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 November 17, 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	Present
Roxie Devers, County Administrator	Present

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

**RESOLUTION #893** It was moved by Commissioner King and seconded by Commissioner Stone to adopt the following resolution:

**WHEREAS:** C.R.S.39-11-148(1) states that "No lien upon real property created by a tax certificate or a certificate of purchase issued by a treasurer on account of any delinquent property taxes or any special assessment of any kind or nature, shall remain a lien thereon for a period longer than fifteen years after the original issuance thereof, except as provided in subsection (3) of this section."

**WHEREAS:** The following is a list of certificates held for a period of longer than fifteen years:

1. Earl and Juanita Simon hold certificate # 13305 issued on November 17, 1992
2. Richard and Jean D. Beetsma hold certificate # 13664 issued on November 14, 1995
3. Bar S Family Partnership, LTD holds certificate #13925 issued on November 5, 1998
4. Clinton A. , Rex and Betty Clark hold certificate # 13735 issued on November 14, 1996
5. Arthur and Juanita Rasner hold certificate #14011 issued on November 5, 1998
6. Ross J. and Sharon Hansen hold certificate #14126 issued on November 4, 1999; and

**WHEREAS:** Fifteen years have lapsed without application for Treasurer's Deed

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Lincoln County that on this 17<sup>th</sup> day of November 2014 that tax lien sale certificates numbered 13305, 13664, 13925, 13735, 14011 and 14126 are cancelled.

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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Clerk of the Board

Mr. Covington also informed the Board that due to the computer conversion, his office will be closed to all computer business beginning the evening of November 21 until December 8. They will still do business, but will need to conduct many things by hand.

Mr. Stone made a motion to approve the minutes from the meeting held on November 7, 2014, as submitted. Mr. King seconded the motion, which carried unanimously.

The Board reviewed the October reports from the County Clerk, Sheriff, and Treasurer, and the October reports of revenues and expenditures for the Capital Projects, Conservation Trust, E911, Landfill, Library, and Lodging/Tourism, Public Health and Road & Bridge funds, as well as the individual road district reports.

Mr. King reported attending the Centennial Mental Health meeting on November 13 and commented that Human Services Director Colette Barksdale was there and suggested the county lease the vacant Family Dollar store and use it for Baby Bear Hugs, CLEKC, the Public Health office, the coroner, DHS and sheriff sub-offices, and Colorado East Community Action Agency. Mr. King said the last figure he had heard was over \$400,000 for the building so didn't really feel Ms. Barksdale's suggestion was a viable option. He also reported that Gale Lukow will be leaving employment with District Two, but he does not yet know when it will be. Mr. King plans to promote one of his truck drivers to the road grader operator position, so will need to hire a truck driver. Lastly, he asked Ms. Devers if she had heard anything back regarding the soil sample at the annex, but she had not.

Mr. Stone reported stopping by the county shop on November 12, and also that Monty Mattson and the other District Three road grader operators had come to Hugo to look at the CAT 12M road grader. He checked roads on November 13 and informed the others that the tumbleweed situation is just as bad as it was last year, if not worse. On the Fifteenth, he checked Taylors' road where the culverts have been ruined by the oil truck traffic. They hauled in some dirt but Mr. Stone said they will need to do some major elevating of the road. He received a call from a concerned Karval resident about the tumbleweeds on November 16 so spoke with Monty Mattson about them again earlier this morning. They may try and do something with the weeds since many are in the town of Karval around residences occupied by the elderly.

Mr. Lyons reported attending the fair board meeting on November 11 and was a little disconcerted with the fact that Julie Joffe basically made it sound like the commissioners were in favor of spending \$50,000 to fix the floor in the Ellis Allen building. The commissioners had reviewed a bid, but had never made any decisions regarding the floor. On November 14, Mr. Lyons checked on County Road 25 to see how the magnesium chloride treatment was holding up and said it is doing quite well. He stopped by the landfill and Mick Jaques told him the old car they have been using will not last much longer. He also checked on County Road 2W east of Hugo and had another phone call from Linda Dean.

Ms. Devers asked the Board if they would like to meet with Barbara Green in December after Land Use Administrator John DeWitt has the Land Use Board review the oil and gas regulations. They agreed to meet with her, depending on what the Land Use Board has to say.

The county has two new AFLAC representatives who would like to meet with all county employees to explain what policies the company has to offer. Ms. Devers told them that the commissioners have never required county employees to listen to a presentation regarding insurance supplements and the Board agreed they do not want to start that practice now.

Ms. Devers explained that a fairly large issue may occur with the roundhouse project, as Greg Connor, the foreman on the job who worked for Spectrum, has started his own business and would essentially be completing 82% of the work on the roundhouse. Since the state contract requires that Spectrum perform 70% of the work, they may have a breach of contract if things proceed as they are. The architect, Merrill Wilson, must approve the billings and questioned why she is required to do that. Travis Miller with CDOT said not to approve payment until the other issued is resolved so Ms. Devers said the door and window project may be delayed.

Lastly, Ms. Devers asked that Mr. Lyons sign a letter to Kim Schallenberger with the Plains to Peaks Retac requesting \$20,036.32 in county designated funds. Mr. Lyons signed the letter and Ms. Devers was excused from the remainder of the meeting.

At 1:00 p.m., County Assessor Jeremiah Higgins and County Treasurer Jim Covington met with the Board to discuss purchasing the computer hardware used by both of their departments. County Attorney Stan Kimble said that there will be a balance of \$5,313 left on the account as

of December 31, 2014, and they have determined that the value of the hardware is roughly \$5,000. Since it's unclear who actually owns the hardware at this point, Mr. Kimble felt it best to buy out the Dell contract with Harris Systems USA, Inc. in order to continue the office processes of the assessor and treasurer without too much disruption. Tyler Technologies is supposed to take over beginning January 1, 2015, so Mr. Kimble said they should require a warranted bill of sale from Harris since the contract for the hardware is between CCI and Dell. He felt it would be the best idea due to the bankruptcy involved.

Mr. Higgins said that they only have a contract for the software and no one had ever given them a contract for the hardware. Mr. Covington put in that even though Tyler will go live the first of the year, they still want to run the current system simultaneously in order to make sure all data transfers over properly and the two systems balance. Harris will come and pick up the hardware, but Mr. Covington feels they will need it for at least a month to be on the safe side. Therefore, they would feel most comfortable purchasing the current hardware. It will cost approximately \$500 to lease the program for another month but Mr. Covington said they need to do that simply to make sure the accounts are balanced as of the end of the year. Harris Systems will come and erase the program at the end of that month or they will make sure it is otherwise erased.

Mr. Stone made a motion to buy out the Dell contract with Harris Systems USA, Inc. in the amount of \$5,313.31 for computer hardware used by the Assessor and Treasurer. Mr. King seconded the motion, which carried unanimously. Mr. Covington asked if the money would be taken from the Admin budget but did say that if the payment needs to come out of his and the assessor's budget, they could probably do that also.

Mr. Kimble said he will be attending the attorney's conference next week and hopes to meet with Arapahoe, Douglas, and El Paso counties regarding the \$20 county fee on out-of-county resident driver license documents. Depending on when that meeting is scheduled he may need to obtain the information at a later date, as he must return on Thursday for the Land Use Board hearing with Nereo.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on November 26, 2014.

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Corinne M. Lengel, Clerk to the Board

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Ted Lyons, Chairman