

Board of County Commissioners of Lincoln County  
Agenda for January 30, 2015

9:00 Call to order and Pledge of Allegiance

9:00 Lisa Nolder, Director of the Lincoln County Economic Development Corporation, to give her monthly report

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

1. Approve the minutes from the January 29, 2015 meeting
2. Review the 4<sup>th</sup> quarter of 2014 Financial Status and Quarterly Employment reports for the Community Development Block Grant
3. Review and sign the Agreement with the Colorado Professional Rodeo Association for the 2015 rodeos at the county fair
4. Review and sign the Colorado Parks and Wildlife Impact Assistance Grant Application
5. Appoint members to the 18<sup>th</sup> Judicial District Juvenile Services Planning Committee for 2015
6. Review the 2015 County Officials/Other Contact Update received from County Technical Services
7. County Commissioner reports
8. County Administrator's report
9. County Attorney's report
10. Old business
11. New business
12. Approve additional expense vouchers if necessary

The Board of Lincoln County Commissioners met at 9:00 a.m. on January 30, 2015. The following attended: Chairman Greg King, Commissioners Doug Stone and Ed Schifferns, County Administrator Roxie Devers, and Clerk to the Board Corinne M. Lengel. Will Bublitz with the Limon Leader and Eastern Colorado Plainsman attended until approximately 10:30 a.m.

Chairman King called the meeting to order and led the Pledge of Allegiance. Ms. Devers said that Lisa Nolder with Lincoln County Economic Development was unable to keep her appointment, but Lawn Thompson would be in at 9:30 a.m. to discuss seismograph activities on his property. She had asked Land Use Administrator John DeWitt to come down at that time, as well.

Mr. Stone made a motion to approve the minutes from the meeting held on January 29, 2015, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

The Board reviewed the 2014 Fourth Quarter Financial Status and Quarterly Employment reports for the Community Development Block Grant, as well as the Agreement with the Colorado Professional Rodeo Association for the 2015 rodeos at the county fair. Ms. Devers said the contract is the same as always and the rodeos are scheduled for August 7 and 8. Mr. Schifferns made a motion to sign the CPRA rodeo contract for the 2015 rodeos. Mr. Stone seconded the motion, which carried unanimously.

After reviewing the Colorado parks and Wildlife Impact Assistance Grant application, Mr. Stone made a motion to sign the application and Mr. Schifferns seconded the motion, which carried unanimously.

A letter was received from Kelly Abbott, 18<sup>th</sup> Judicial District SB94 Coordinator, requesting appointments to the board. She suggested Andy Lorensen with Human Services and Kathleen Murray, who is the regional operations director at Centennial Mental Health. Mr. Stone made a motion to appoint Andy Lorensen and Kathleen Murray to the Juvenile Services Planning Committee. Mr. Schifferns seconded the motion and it carried unanimously.

Lastly, the Board reviewed the 2015 County Officials/Other Contact Update form received from CTSI.

Mr. Stone then reported attending the fair board meeting on January 13. He stopped by the county shop on January 15 and spoke with Monty Mattson about tractors and mowers, and they have ordered a John Deere tractor. On the Sixteenth, he checked on the cattle guard located on County Rd 109 that he spoke of at a previous meeting. He didn't believe the cattle guard would need to be taken out, as originally discussed, but could be welded and fixed on site. On the 20th, he looked at roads east of Karval and the Stavely cattle guard. On January 23, Mr. Stone checked more roads and stopped again at the county shop, and on the Twenty-eighth, he checked roads west of Highway 71 and where road crews were laying gravel.

County Attorney Stan Kimble called to report that a Case Management Order had been filed in the Johnson case; however, he felt it may be resolved in the next thirty days. He stated that he did not file a Summary Judgment due to the fact that he would prefer to use the testimony of one of the witnesses if the case does go to trial on March 23.

Mr. Kimble also informed the Board that NEREO has not filed an application for transmission lines yet so there is nothing currently moving in that area.

Lawn Thompson arrived at that time, as did Land Use Administrator John DeWitt. Mr. Thompson stated that the seismic company and the oil company want to conduct testing within 300 feet of his home, even though he has asked them to stay at least 1,000 feet away because his basement and foundation are cinder block and he is concerned that the vibrations will cause damage. There is also a steel-cased well on the property that a local water well driller has advised him might be in jeopardy from seismic activity if it occurs closer than 1,000 feet. The oil company and the seismic crew insist that they conduct operations within 300' of the home, and that the landowner has no say in the matter. Mr. Thompson wanted to know if there was anything the commissioners could do as he is concerned the activity will collapse his well or cause damage to his home. The oil company, Night Hawk, has told him they will pay for damages, but he would prefer to prevent any damage from occurring rather than deal with repairing them after the fact.

Mr. DeWitt spoke up to say that the Oil and Gas Commission has stated there is nothing they can do. He also contacted the ICC but can find no one with expertise in the area that is willing to help. Mr. DeWitt said he'd also left a message for Tim Gablehouse with the Colorado Emergency Planning Commission, but he has not heard back from him yet.

Mr. Thompson said he has been dealing with this for over a year and it is getting old, especially since there was some damage done to a cistern he owns on another property where seismic work was done. He added that mineral owners can do whatever they want and the landowner has no recourse except to try and collect damages. Mr. King commented that Colorado law is pretty clear when it comes to severed mineral owners and the priority they have, and Mr. Thompson wanted to know if the commissioners could contact the state to let them know things were getting out of hand.

Mr. DeWitt stated that since the county is currently in the process of revising regulations with Barbara Green, perhaps they could include something to address this situation. Ms. Devers put in that John Thompson, who had attended the Land Use Board meeting with Ms. Green, had suggested at that time that he was having similar problems. Ms. Green commented then that the county could include something in the regulations when they are revised.

Mr. King told Mr. Thompson that they would look into it for the future, but it would not help him with his current situation. Mr. DeWitt said he would email Ms. Green and when he heard back from her and Mr. Gablehouse, he would let them know what was said. Mr. Stone added that they may need to add residential and well setbacks. Mr. Thompson said that the

landowners need to be compensated and Mr. King told him it would most likely need to be a legislative change.

Once Mr. Thompson had gone, Mr. DeWitt stated that he had mapped the affected areas of the County Line gravel pit and when he reported his findings to Ms. Eschberger, she said she would consider a simple technical revision for \$250 rather than the full conversion, which would cost \$3,000.

Mr. Schifferns gave his report, stating he also attended the fair board meeting on January 13. From January 14 through the 16 he attended new commissioner training, and on the Twenty-third he talked with Chris Monks about replacing a member of the District One road crew. On the Twenty-seventh, he and Chris toured the district and discussed road projects for the year.

Mr. DeWitt stopped back in to inform the Board that he had heard back from Tim Gablehouse who said that there is no good way to stop seismograph crews, assuming Mr. Thompson signed the lease with the oil company. He did suggest that Mr. Thompson document the current conditions of the property through photos and video as it would be the only way to prove those conditions in the event something does happen. Mr. DeWitt said he would contact Mr. Thompson and let him know what he had learned.

Mr. Schifferns continued with his report, stating that he attended the Arriba town board meeting on January 27 and Lisa Nolder was there. He also attended the hospital board meeting on January 29. They hope to develop an on-site Air Life helicopter service, funded by Air Life, which would be a huge asset to the community.

At 10:00 a.m., Human Services Director Colette Barksdale and Robert Kraxberger met with the Board to give the monthly report for the department.

The Board reviewed the monthly time sheets and financial reports for November and December of 2014, as well as the C-Stat report for December and the C-Stat Dashboard. The Child Welfare hotline has been implemented but they ran into some technical issues and ended up having to purchase an iPhone that will only be used by the on-call employee. The hotline should decrease the call load at the sheriff's office dispatch, and Ms. Barksdale gave everyone the number to report child abuse or neglect: 844-CO4KIDS.

Ms. Barksdale brought up the subject of purchasing another car for her department, stating that she had put \$25,000 in her 2015 budget and they try to replace a vehicle each year. They have been considering moving one of their vehicles to the Limon office and keeping it there so that when an employee takes a removal call in Limon they don't have to come back to Hugo and get a car that has child safety seats in it. Since they also have some employees who live in Limon, it would be better for them to be able to leave for meetings from Limon rather than drive to Hugo to get a vehicle. Mr. Kraxberger said that he'd spoken with Tom Anderson at Anderson Motors about a vehicle, but he did not have anything at this time. Limon Chrysler had a 2014 Dodge Avenger with 5,000 miles on it for \$13,842. They also had a 2014 Chrysler

200LX with 8,700 miles on it for \$15,837 or a 6-cylinder Chrysler touring sedan for \$16,595. Ms. Barksdale said they considered trading in the Suzuki they purchased last year and were given an estimate of \$3,000 or \$4,000 for a trade-in on it, but Mr. Kraxberger told them it was an all-wheel drive when it is only a two-wheel drive, so the trade-in value would probably be less. She would like to buy the first two vehicles, which would cost \$29,679, but Dan Cochran told them they could have them both for \$29,000. She also discussed the option of keeping the Suzuki and allowing Mr. DeWitt to use it, as well as her staff to go to the post office for the mail, but added that they can no longer get parts for it since the company went out of business.

Ms. Devers commented that they still need a vehicle at the landfill but Mr. King said that he and Mr. Stone spoke with the sheriff the previous day and he is considering getting rid of the old Charger, which they discussed moving to the landfill. Mr. King said he saw no reason to keep the Suzuki and Ms. Barksdale added that if they do purchase both vehicles she will not budget for one in 2016. Mr. Schifferns wanted to know how many miles they average on their vehicles each year and Ms. Barksdale responded that it is most likely over 12,000 per vehicle. She does limit the usage of the newer vehicles to 2,000 miles per month to keep the mileage lower on them. Mr. Stone said he felt she should go ahead and trade in the Suzuki and purchase both the Dodge Avenger and the Chrysler 200LX. Mr. Schifferns agreed.

After Ms. Barksdale and Mr. Kraxberger left, Mr. King gave his report, stating that he attended the Resources Unlimited meeting in Limon on January 20, which was very well attended, and the Bookmobile board meeting on January 22, which was not. He spoke with Brenda Toft at the Farm Service Agency on the Twenty-ninth, and also reported that the piece of the *USS Arizona* is ready to ship; however, the VFW needs to send the money for shipping the item. Mr. King also spoke with Joe Kiely who told him that Ports-to-Plains rejected the Highway 385 route, so the alternative is Highway 71. Earlier this morning, he spoke with Tom Lee about the suggestion box HEDG had out, and also brought up the fact that Renita Thelen showed him some pictures of a mobile home that someone had placed in a hole down in the lower L. He is afraid it may become a problem, as he did not believe the owners got a Certificate of Occupancy for it, and it may cause safety issues. Mr. Stone added that he thought there may be something similar near Hall Station.

Ms. Devers reported that the bookmobile laptop was found and had not been stolen after all, but Katie Zipperer would still like to purchase a new one since the old one is five years old and they keep having problems with the cords. She does not want the Office package or the Norton Antivirus since they do not have personal information on the internet, so the \$349.99 would suffice. The Board agreed that the Bookmobile department could purchase a Toshiba laptop for \$349.99.

Gary Beedy stopped in to see Ms. Devers and suggested that the county may want to be proactive on an issue regarding passenger and local freight rail. Ms. Devers shared a flyer she had gotten somewhere from an organization called Commuter Rail NOW, which presents a plan for passenger rail to connect all 64 Colorado counties.

Lincoln Community Hospital CEO Kevin Stansbury would like to meet with Ms. Devers about the helicopter services and hospital by-laws, but Ms. Devers said she was going to call him and ask if he would prefer to meet with the commissioners instead.

Ms. Devers provided her letter of resignation as County Administrator, stating that it would be effective June 30, rather than the end of September as she originally planned. She will work in July and August with the new administrator, as needed. Two applications were received from county employees, so the Board chose to advertise for the position locally.

Mr. Stone asked if there was any further word from the engineer working on the lift station project at the fairgrounds. Ms. Devers said they had received a bill but nothing else, so she will contact him again. Mr. King commented that they need to give priority to the projects that will need to be completed with funds from Capital Projects in 2015, stating that the fairgrounds lift station, the annex relocation, the courthouse parking lot replacement, and repairs to the plumbing in the jail were jobs on his list. Ms. Devers said that the plumbing issue in the jail seemed to be taken care of for now, and asked if they wanted to start with the soil samples at the fairgrounds in order to move the annex building. Mr. King responded that he didn't think they could really move the annex until the lift station project was complete. Ms. Devers said she thought that wasn't going to be until 2016, but she will contact the engineer about that as well.

The Board approved additional expense vouchers for the month of January, and Mr. King stated that Mark McHone would come in and repay the \$48.79 charged to First Bankcard for two meals on December 17, so they could go ahead and approve the voucher to the credit card company. Mr. Stone made a motion to approve the First Bankcard voucher in the amount of \$48.79. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Schifferns asked if there is any incentive in the county for new businesses. Ms. Devers explained that the county has a policy but as far as she remembered only one person has ever asked about it and their request was denied. She said she would make him a copy of the policy and Mr. King commented that he would be against using it for any business competing with an already existing business of that nature in the county.

Mr. Schifferns also said that Arriba would like to clean up and revitalize the town and wanted to know if the county would provide dumpsters for the project, as they had done in the past. Ms. Devers said they were only provided during fire bans and were then moved to the fairgrounds afterward. Mr. King asked if the town had a dump truck that could be used.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on February 6, 2015.

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Corinne M. Lengel, Clerk to the Board

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Greg King, Chairman