

Board of County Commissioners of Lincoln County  
Agenda for February 19, 2015

9:00 Call to order and Pledge of Allegiance

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

10:00 Tony Lyons with Eastern Slope Rural Telephone to discuss putting internet access in the fairgrounds events building

1. Approve the minutes from the February 6, 2015 meeting
2. Cancel County General check #27828 written on February 6, 2015 for \$665.74 to Cooper-Clark Foundation since the organization returned the check and asked that the funds be spent on a project in the Karval School
3. Review the January 2015 reports from the County Clerk and a corrected one from the County Treasurer
4. Review two Final Determinations from the Division of Property Taxation approving property tax exemptions, effective May 1, 2014, on properties in Limon owned by Peak Vista Community Health Centers
5. Review and approve Contract Amendment #2 to the Community Development Block Grant modifying the payments from \$355,000 to \$645,000, the number of full time equivalent permanent jobs from 18 to 33 and revising the payment schedule
6. Review a request from Nikki Reid, Accountability President for the Karval School District, for Conservation Trust funds to update the playground equipment for the preschool
7. Review a letter from Elbert County Commissioner Robert Rowland suggesting a meeting with Eastern District counties and other interested parties to discuss issues specific to rural counties and the eastern plains
8. Review applications submitted for the position of County Administrator
9. County Commissioner reports
10. County Administrator's report
11. County Attorney's report
12. Old business
13. New business

The Board of Lincoln County Commissioners met at 9:00 a.m. on February 19, 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 noon, and County Attorney Stan Kimble attended in the afternoon.

Chairman King called the meeting to order and led the Pledge of Allegiance.

Mr. Stone made a motion to approve the minutes from the meeting held on February 6, 2015, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Stone also made a motion to cancel County General fund check #27828 in the amount of \$665.74, issued to Cooper-Clark Foundation on February 6, 2015, since the organization returned the check and asked that the funds be spent on a project in the Karval School. Mr. Schifferns seconded the motion, which carried unanimously.

The Board reviewed the January 2015 report from the County Clerk and a corrected January report from the County Treasurer, and then Lincoln County Economic Development Corporation Executive Director Lisa Nolder met with the commissioners to give her monthly report. She had attended several meetings throughout the month, including the Arriba town board meeting, the broadband planning meeting and the Limon Comprehensive Plan advisory meeting. She will try to maintain a presence at different community meetings each month and added that she has spoken with a couple of the Hugo town board members who want to continue the partnership with Lincoln County Economic Development. There is also a business in Hugo considering a new start-up. Ms. Nolder asked if the commissioners would like to meet with such business owners to discuss tax incentives or other complexities of their projects. When she was in Prowers County the commissioners there would often meet with such prospects which helped to keep the business owners accountable. She added that she is currently at a place with two businesses that she feels should come and speak with the Board, but if the commissioners prefer, they can continue to handle it at LCEDC.

Mr. Schifferns wanted to know how meeting with the Board would affect many business owners' desires to remain anonymous since commissioner meetings are public. Ms. Nolder stated that they held executive sessions in Prowers County in order to keep client proprietary information confidential. Mr. Stone asked if they have executive sessions at the LCEDC meetings, but Ms. Nolder responded that those meetings are not open to the public. Mr. Schifferns felt they should seek counsel from Mr. Kimble before making a decision.

Ms. Nolder also reported a possibility of twelve-to-fifteen new permanent jobs that will be available in the county if the current projects come to fruition, and added that she had talked with three business owners who will contribute to LCEDC even though they have not done so for quite some time. She will list two new projects on next month's report; both manufacturers with a large amount of potential. Both chose Limon because of the geographical location, which she stated is one of the county's greatest assets. Ms. Nolder said that one of the biggest

challenges in this area is that there is not a strong workforce due to a low unemployment rate, and they need to find a way to market the county to surrounding regions. She felt there were numerous ways to assist the workforce, such as offering training programs through Morgan Community College.

Mr. Schifferns asked if there had been any interest in the vacant Alco store, but Ms. Nolder said there has not been anything significant.

Mr. King mentioned an article regarding the flow of money within the county and asked Ms. Nolder to forward it to the other commissioners. She explained it was written by an economic developer in Florida, but it is an easy read about the flow of money and how it impacts a community. When she commented that it would be a very excellent educational piece for the general public, Mr. Bublitz said he could possibly put it in the local papers.

Mr. Schifferns asked Ms. Nolder how the Hugo hotel project was going, but although she has had several conversations with the Orrells, she believes the first step is for them to approach the Hugo town board with the idea to see if those officials even want to consider it. Again, a feasibility study would likely be the first step.

Lastly, Ms. Nolder provided an updated map of the Foreign Trade Zone.

At 10:00 a.m., Tony Lyons and George Ehlers with Eastern Slope Rural Telephone Association met with the Board to discuss installing internet access in the Ellis Allen building at the fairgrounds. Tony stated that they have to turn the access on and off each time someone wants to use it, so they charge \$50 per day and require that the party be at Eastern Slope the day prior to the event in order for the internet to be turned on. It would cost \$35 per month if the county chose to take over the expense of having continuous internet access in the building. He added that if the county is concerned with the additional expense, they could possibly add it on to the building rental rates. Mr. King asked how many organizations request internet access and Tony responded that the auction last weekend needed it, as well as the Colorado Livestock Association. He added that the Trappers Association wanted it, but didn't want to pay the \$50 per day. They do get numerous inquiries about it, however. Mr. Stone felt that it is the way of the future and that people want internet access everywhere they go. Tony said it would be unlimited access and Mr. Ehlers added that they could password protect it if the county wanted to.

After a brief discussion, Mr. Schifferns made a motion to approve internet access in the Ellis Allen building at the fairgrounds through Eastern Slope Rural Telephone Association for \$35 per month. Mr. Stone seconded the motion, which carried unanimously.

The Board reviewed two Final Determinations from the Division of Property Taxation approving property tax exemptions, effective May 1, 2014, on properties in Limon owned by Peak Vista Community Health Centers.

Also reviewed was Contract Amendment #2 to the Community Development Block Grant modifying the payments from \$355,000 to \$645,000, the number of full time equivalent permanent jobs from 18 to 33, and revising the payment schedule. Mr. Stone made a motion to approve the contract amendment to the Community Development Block Grant and Mr. Schiffers seconded the motion. The motion carried unanimously.

Before reviewing the request from Nikki Reid for funds for playground equipment for the Karval School District, Mr. King said he would prefer to wait until Joel Albers, Limon Elementary School principal, met with them, as he was coming in at 10:30 a.m. Instead, the commissioners reviewed a letter from Elbert County Commissioner Robert Rowland suggesting a meeting with Eastern District counties, and other interested parties, to discuss issues specific to rural counties and the eastern plains.

Joel Albers arrived at that time to discuss the possibility of the county donating funds to the Limon school for new playground equipment. He thanked the Board for meeting with him on short notice and stated he had put together a letter outlining the circumstances for his request. He explained the school applied for a GOCO grant and received notification that they were one of six finalists, but he felt they are short approximately \$20,000. They will find out in April if the GOCO funding has been approved, and they currently have pledges from the town of Limon and the Limon Education Foundation, and in-kind funds from Structures Unlimited and possible others. He will need to submit his application by March 5. Mr. Albers explained that the playground will be a community facility rather than strictly a school playground. Mr. King told Mr. Albers the Board would consider the request, adding that the commissioners would be reviewing a similar request from the Karval School; however, they are part of an unincorporated community and cannot apply for GOCO funds. Mr. Albers thanked the commissioners and asked for a pledge letter if they agree to contribute any funds to the project.

The Board reviewed the letter from Nikki Reid, Karval School District accountability president, requesting Conservation Trust funds to update the playground equipment for the preschool. Ms. Devers said she told Ms. Reid that the commissioners may wait until the school learns if they are approved for the Mountain View Electric Round-up grant before making a decision. Mr. Schiffers asked what the common practice was for such requests and Ms. Devers told him that the county had never given to any organization other than Karval because of the fact that they are unincorporated. Mr. King said he was in favor of a small donation to Karval but since Limon has other funding opportunities available to them, he would not be in favor of the county making a contribution to their project.

Mr. Stone made a motion to deny contributing any monetary support to the Limon School District for their playground equipment. Mr. Schiffers seconded the motion, which carried unanimously.

Further action on the request from the Karval School District was tabled until Ms. Reid determines whether or not the request for the Mountain View Electric Round-up grant is approved.

The Board reviewed applications submitted for the position of county administrator and decided to interview three of the eight applicants.

Mr. Stone reported attending the Lincoln Day dinner on February 9 and checking roads on February 10. He spoke with Karval School Superintendent Brenda Smith on February 11 about the playground equipment funding, and on the Twelfth he checked roads west of State Road 71. He also checked roads in the southwestern part of the county on February 17, and spoke with Monty Mattson about putting gravel on the north side of the Karval school where the new septic was installed. He attended a meeting at the Limon community building on February 18 where Congressman Ken Buck spoke.

Mr. Schifferns reported speaking with a Hugo resident about the tax incentive program for businesses on February 7, and attending the Lincoln Day dinner on February 9. On the Tenth, he spoke with Chris Monks about filling cracks on County Road 109 and crushing asphalt in Limon. They finished up the crushing on February 17 and Mr. Schifferns also spoke with Chris Monks about county and fire department roles during prairie fires. He also attended the congressman's meeting on February 18 where oil, water, wind, trade zones and Ports-to-Plains were discussed.

Mr. King reported attending the Lincoln Day dinner on February 9, and a Centennial Mental Health video conference call on February 12. He checked roads north of Genoa and Arriba later that day. On February 17, he attended the Resources Unlimited meeting and then later stopped at the county shop to discuss the Anthem hack. He attended the same meeting as the others on February 18, and the LCEDC meeting earlier this morning.

Ms. Devers reported speaking to Zane Nestor about the Karval siren. He removed the radio from it and was supposed to send it to Sentry Siren this week. Zane said they had reversed the "transmit" and "receive" frequencies, but they will do the repairs and return it immediately.

Ms. Devers asked the Board if they would like to attend classes on the Assessment Appeals Process and Presenting Your Best Case, but Mr. King and Mr. Stone had already attended the former. Mr. Schifferns said he would check his schedule and get back to her.

Cheyenne County did not write a letter of support for the proposed grant to develop a regional ambulance plan; however, they encouraged the RETAC to begin the process and felt they had adequate information to do so. Kim Schallenberger decided it was okay because of the delay that would have occurred in waiting for the funding. Consideration will be given to drafting a plan with input from the stakeholders and the commissioners.

Ms. Devers asked the Board to update or revise the current list of economic development projects through COG, as those updates will be compiled and an Economic Development Administration Regional Plan eventually adopted.

Andy Lorensen spoke with Ms. Devers about adding a fax line to the commissioners' office, so she contacted Eastern Slope and was told it can be put in place as a "teen line". The cost is \$10 to add it and \$5 per month and it will have a distinctive ring so there will be no confusion with phone lines. She asked the Board if they wanted to allow Mr. Lorensen to get the fax line and they agreed it would be fine. He had also asked Ms. Devers if it would be acceptable to have the oil for the coroner's vehicle changed at NAPA instead of at the county shop. The cost is \$50. Mr. Lorensen felt it would be difficult to work it into his schedule with DHS to have it done at the shop. He also did not know the last time the oil was changed as he could find no record of it. Since he couldn't get it to the county shop this week, Ms. Devers told him to go ahead and take it to NAPA this time and she would discuss it with the commissioners. The Board agreed that Mr. Lorensen should have the oil changes done at the county shop as other departments do.

Ms. Devers reported that she'd received a phone call from Brad Gilchrist who said he could get insurance for dismantling mobile homes. She didn't ask him how much he could get, but told him she would talk to the commissioners and see what they would like to do. Mr. King asked if the county could go in and destroy them if the mobile homes were titled to the county. Mr. Kimble stated that as long as they had the landowner's permission and the county owned them, there would be no reason that county road crews couldn't do the work. Ms. Devers asked if she should have County Treasurer Jim Covington meet with the Board again and they agreed to have him do so on February 27. Mr. Kimble added that he could speak with the owner of the Limon Mobile Home Park to see if he would like to get rid of the one there himself.

Ms. Devers said that work on the doors and windows project at the roundhouse is at a standstill. Spectrum is now arguing about warranties and the wood species, even though they bid on the project fully knowing what the conditions were at the time. Mr. Schifferns made a motion to sign a letter to Tom Cella with Spectrum General Contractors, requesting a response by February 27, as to their intentions to proceed with the roundhouse project. Mr. Stone seconded the motion, which carried unanimously. Ms. Devers added that they also need to have the interior of the building power washed.

Mr. Kimble reported receiving a letter and fully executed copy of Purchase Order 2 for the maintenance and support through January 31, 2015, between Lincoln County and Harris Systems USA, Inc., which he provided to the Board.

County Coroner Andy Lorensen had talked with him about Mr. Kimble representing him in the event of a lawsuit, and Mr. Kimble told him he could as long as there was no conflict with the commissioners.

Mr. Kimble said there was an issue with the town of Limon burning trees in south Limon and the smoke drifting out into the county and bothering county residents. He wasn't aware of any code that would directly address it, although he said it might be a good use of a nuisance ordinance if the county had one in place. He added that he is still working on putting an ordinance together, as he has not been completely satisfied with any that he has found. Mr. Kimble said he would read the CDPHE regulations and they may need to eventually send a letter to the town, but he didn't feel that the county had much of an argument at this time.

Ms. Devers asked about the commissioners using executive sessions with start-up businesses and Mr. Kimble felt it was a stretch of the statutory definition. He added that if there were discussions in the sessions regarding tax incentives those may be considered as negotiations, but Mr. King said he prefers to avoid executive sessions as much as possible. Mr. Schiffers added that people need to be made aware that meetings with the commissioners are open to the public and anything said will be of public record. Mr. King said they may want to take the position that if the discussion doesn't meet the statutory reasons for holding an executive session than it will be an open meeting, and the others agreed.

Mr. King called for old business and Ms. Devers said that since the annex building move has been put on hold, at least for the time being, they should look at doing something to level the ground. It may be possible that it would alleviate all of the problems if no water were leaking underneath the building. Mr. Stone said they need to slope the ground away from the building and Ms. Devers suggested taking out the lawn. Mr. King said they might need to remove the sidewalk as well, and the commissioners agreed to go and look at the building as soon as the meeting was adjourned.

Ms. Lengel reported a change of the Driver Examiner's office hours. Beginning Monday, February 23, the office will only be open from 1:00 p.m. until 4:30 p.m. Monday through Friday, until further notice.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on February 26, 2015.

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Corinne M. Lengel, Clerk to the Board

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Greg King, Chairman