

Board of County Commissioners of Lincoln County
Agenda for March 31, 2015

9:00 Call to order and Pledge of Allegiance

9:00 The Elected Officials and Department Heads will meet with the Commissioners to request that the per diem rates be increased

9:30 Troy McCue, Interim Director of the Lincoln County Economic Development Corporation, to give an update on activities

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

11:00 Emergency Manager John DeWitt to request approval on revisions to the county's Emergency Operations Plan

1:30 The Commissioners will have a work session on proposed regulations to abate, control and require removal of nuisance activities

1. Approve the minutes from the March 30, 2015 meeting
2. County Commissioner reports
3. County Administrator's report
4. County Attorney's report
5. Old business
6. New business
7. Approve additional expense vouchers if necessary

The Board of Lincoln County Commissioners met at 9:00 a.m. on March 31, 2015. Those attending were Chairman Greg King, Commissioners Doug Stone and Ed Schiffers, and Clerk to the Board Corinne M. Lengel. County Administrator Roxie Devers attended until 10:30 a.m. and returned at 1:15 p.m. County Attorney Stan Kimble attended in the afternoon, and Will Bublitz with the Limon Leader and Eastern Colorado Plainsman attended for the first two discussions.

Chairman King called the meeting to order and asked Sheriff Tom Nestor to lead the Pledge of Allegiance.

In attendance for the discussion concerning requesting an increase in the county's per diem rate were: County Treasurer Jim Covington, County Assessor Jeremiah Higgins, County Sheriff Tom Nestor, Human Services Director Colette Barksdale and employee Robert Kraxberger, Public Health Director Susan Kelly, and Weed Coordinator Wayne Shade. Mr. Covington stated that the department heads and elected officials had met on March 3 and discussed several options to bring to the Board for their consideration. He added that the per diem rate of \$30 has not been adjusted in over fourteen years and the cost for meals has increased considerably during that timeframe. Ms. Barksdale produced a handout for everyone that outlined the three different options that the group would like to be considered: To use the federal per diem rates for Colorado and for Hugo; to create a per diem per meals rate based on regions in the state—majority of state \$41, Front Range \$61, and resorts and mountains \$66; or to use a flat rate of \$50. She added that the discussion between the department heads was quite lengthy and all agreed that each department must watch their individual budgets and make sure that employees weren't abusing the increase if it is granted.

Sue Kelly spoke up to say that \$30 just does not cover a full day of meals anymore and Mr. Covington put in that lunch alone can cost around \$15. Wayne Shade commented that although he can see the county covering the cost of meals when an employee attends conference or training for two or three days, he did not understand turning in a meal ticket for a day-long meeting or training. Ms. Barksdale responded that her department probably is required to attend the most meetings and trainings and that they are a requirement for the employees' job duties. Ms. Kelly stated that all departments are very judicious about the trainings they attend, as everyone could go to meetings and training all the time if they wanted to. However, most department heads choose the most worthwhile training for their employees and those employees do not abuse their meal allowances. Mr. Shade repeated that he didn't feel an employee should charge the county for a meal if they were just out for the day and that they should take their lunch with them. Ms. Barksdale argued that her department is different in that she has fourteen employees who are on the road doing various required trainings or home visits and it is not conceivable for them to take their lunch with them. She added that if one of her employees paid \$50 for lunch they would be having a discussion about how inappropriate that is. Mr. King asked where the group had come up with \$50 and Mr. Covington said it was just a number that they finally all agreed on, but the main topic of that discussion was the fact that the department head must execute control. Mr. Schiffers stated that \$53 is the average rate based on his calculations. Robert Kraxberger put in that DHS is required to attend training in Vail or Keystone in the summertime because it's the "off season"

and they give them a special deal to come there. Of course, the training group also wants to cut costs at their meetings by not providing lunch, so then attendees have to go out on their own, and meals are even more expensive in the mountain resort areas.

Mr. King said he would like to try increasing the rate to \$40 and see how it would work and Mr. Schiffers agreed that meals have definitely gone up in price. He suggested splitting the difference and increasing the rate to \$45 or \$46. Ms. Barksdale said that the group knew that they would need to begin planning for their 2016 budgets which is why they began discussions now. Mr. Covington commented that he preferred the flat option and Ms. Kelly and Ms. Lengel agreed. Robert Kraxberger added that if a meal is included in a conference or meeting and the employee chooses not to eat that meal, employees know they will be responsible for paying for their meal. Mr. Stone stated that he doesn't want to encourage spending the entire amount and would like to see accountability. Ms. Kelly responded that those in attendance are very frugal and expect their staff to be the same. Ms. Devers suggested the Board take it under advisement as a decision did not need to be made immediately.

At 9:30 a.m., interim Economic Development Director Troy McCue met with the Board to give an update on activities. He has learned there is a lot of work to do and that he doesn't have to travel very far to find someone who needs assistance. They have launched their new Facebook page and have created flyers, and he provided a list of many of the businesses he has contacted since taking over as interim director. He did say that he would like to see more of a presence in Hugo, so would like to work with the tourism board and possibly use the depot to set up some office space. He added that the question arose as to how to clean up our towns and there's been discussion about setting aside some money for blight removal projects.

Mr. McCue attended IEDC marketing training where he learned quite a bit about site selectors and the processes they use to choose the location for a new business. By the time they contact economic development, seventy percent of their decision has already been made and it is crucial to have a decent website with adequate information that will convince a business to develop in your area.

He has attended a couple of the Hugo town board meetings and stopped by two Hugo businesses this morning before the commissioner meeting. Mr. King asked how things were going with the town and Mr. McCue felt that he is making good progress, although some of the town board members are still a little reluctant to renew the membership.

Mr. King also asked if there was any further news on Shopko coming to the vacant Alco store in Limon, but Mr. McCue has not had a chance to follow up with them. He will make another effort to contact them directly and commented that both Wal Mart and Target are also developing what are known as small town neighborhood stores similar to Shopko. Although competition is good, development is never good if it drives out comparable local businesses.

Mr. Schifferns wanted to know if he had to resign from the Arriba town board but he did not. Mr. McCue did resign from the LCEDC board and said he will abstain from voting on matters at the Arriba town board meetings if there is a conflict with economic development.

Lastly, Mr. McCue stated that there is talk of renewing the idea of a Regional Learning Center, which was discussed several years ago when Patricia Vice was the director of LCEDC. Working with NJC or MCC to use an existing vacant commercial space would possibly bring people to the communities and keep them here, while providing much-needed training for employees of specific trades such as the wind towers.

After Mr. McCue had gone, the Board approved additional expense vouchers for the month of March.

At 10:00 a.m., Human Services Director Colette Barksdale and Robert Kraxberger met with the Board to give the monthly report. The commissioners reviewed her time sheets and financial reports for February and the C-Stat report and C-Stat Dashboard for March. The department recently had two of its TANF and two Adult Financial cases reviewed which generally helps them correct any deficiencies. They will make some changes and follow the recommendations that were made. Ms. Barksdale provided an updated staff organization chart and then finished by saying that the department has seen a spike in Child Welfare cases lately. Since all of the new cases will require court action, the Board may see an increase in the department's legal costs.

Mr. Stone made a motion to approve the minutes from the meeting held on March 30, 2015, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Schifferns reported checking roads south of Arriba on March 23 where road crews are laying gravel. There was a fire on County Road 109 on March 24 that Chris Monks helped to put out. Mr. Monks had also told him that the cheapest oil he had found was in Stratton. Mr. Schifferns also reported attending the hospital board meeting on March 26, and receiving a phone call from a county resident who would like to have the county put some gravel on a turnaround. He spoke with Chris Monks who will have it taken care of.

Mr. Stone reported attending the Colorado East Community Action Agency meeting on March 19, where they passed new by-laws. He received a call from a county resident complaining that the roads were slick in his area, so Mr. Stone checked those roads on March 24. They will put some sand on them. On March 26, he spoke with Monty Mattson about roads and gravel, and after the commissioner meeting the previous day, he and Mr. Schifferns went out to the fairgrounds to check on the progress at the events building.

Mr. King reported checking roads north of Genoa and stopping at the Hoffman Pit on March 25. Prior to the previous day's commissioner meeting, he stopped to speak with Shawn Mendoza at the fairgrounds, and after the meeting he went by the Genoa shop and stopped at the landfill. Mick Jaques is concerned with the amount of business he is getting from out-of-county parties

because Lincoln County has one of the cheapest landfills in the state. He has received loads of shingles from Kirk, Joes, and Kit Carson County lately and wanted to know if it would be possible to increase the rates on out-of-county loads. Mr. King said it isn't fair to ask county residents to foot the bill for the new cell at the landfill when the current cell is being filled up with out-of-county materials.

The only old business concerned the toilets at the Ellis Allen building so the Board decided to wait and ask Ms. Devers if she had heard anything further.

There was no new business except for discussing the landfill rates, so the group broke for lunch.

When the meeting re-convened at 1:15 p.m., Ms. Devers was back in attendance, and County Attorney Stan Kimble said that he'd had an email from Ms. Lengel requesting assistance on HB15-1174, which refers to the Address Confidentiality Program. He had researched the topic but had not heard much on the county list-serve, so would keep checking it. Ms. Lengel said that they follow the Address Confidentiality Program through elections, but the information she received recently came from the Recording Statute Review Committee.

Mr. Kimble had prepared a Stipulation in the court case involving County Road 3X in which the Defendants agree to pay the county \$3,500 no later than April 6. Further provisions of the document require the Defendants take no further action similar to what has been alleged in the Plaintiff's Second Amendment Complaint, or otherwise intentionally or significantly damage a Lincoln County road or right-of-way to impede traffic on that road or right-of-way.

Mr. Stone made a motion to sign the Stipulation in the Board of County Commissioners of the County of Lincoln, acting through Mark I. McHone, Lincoln County Road Supervisor, and LeRoy A. and Torrey Johnson case No. 14 CV 030004. Mr. Schiffers seconded the motion, which carried unanimously.

The Board then conducted a work session on proposed regulations to require removal of, abate, or control nuisance activities. Land Use Administrator John DeWitt attended the session. Mr. Kimble commented that the ordinance needs to be a good ordinance countywide, without too much emphasis on restrictions that may not be necessary. Discussion centered on the Kotrba issue that Mr. DeWitt has been working on in the southern part of the county, and then the group spent time going through each section of the ordinance to decide what may be pertinent. Mr. Kimble said he would make the changes and bring it back to the April 6 meeting.

Mr. Kimble asked Ms. Devers if there was any progress on the roundhouse, but although she had received an email from Merrill Wilson, things are at a standstill.

Mr. Kimble reported reading the regulations on burning, due to the issue of the town of Limon burning trees at the old Limon Livestock property and the smoke drifting out to county residences. Although the regulations state that a burning permit must be obtained from the authorized agency, there are also exemptions from that requirement, with stipulations. What

he deemed from the information is that the town is allowed to burn without the permit, but needs to notify residents when the burning is to be done. Mr. Kimble will draft a letter to the town.

Mr. Kimble also reported that the Hugo town board will have a Special Use Review for the Air Life helipad that Lincoln Community Hospital wants to have put in on the school property to the west of the hospital. If the school donates the property, it must be deeded to the county since the hospital is county-owned. LCH would like to have the lease with Air Life so that the proceeds from that lease can help run the hospital, but nothing will happen if they don't get the Special Use Permit. Ms. Devers said that as far as she knows they have not pursued the fuel tank regulations and she told hospital CEO Kevin Stansbury that he needs to come and meet with the commissioners.

Mr. Kimble had nothing else to report so Mr. King brought up his discussion with Mick Jaques about the out-of-county landfill rates. He stated that a pickup load of shingles in Lincoln County is \$32 but is \$60 anywhere along the Front Range. Ms. Devers said the commissioners can raise the rates through Board action, so they will address it again at a later date.

Ms. Devers reported receiving a phone call from Jennifer Fager asking the commissioners to sign a letter stating that the county landfill is a recyclable landfill, which they did.

As for the regulations on toilets, Ms. Devers said that they must be a minimum of 17" and a maximum of 19" from the floor, but there was nothing else stating that all toilets must be handicap-accessible. Mr. Stone felt they should just put the old toilets back into the restrooms in the Ellis Allen building and replace them as needed. The others agreed and Mr. King added that they would need to remove that portion of the cost from the quote they received from GMS, Inc.

Ms. Devers stated that the commissioners had been contacted some time back about a Bureau of Land Management, Royal Gorge Field Office Resource Management Plan revision and environmental impact statement. She had received an email that the public scoping process is officially scheduled to begin on June 1, and the Bureau was requesting as many signed MOUs with cooperating agencies as they could obtain. Ms. Devers said there are almost 2,100 acres of BLM land in Lincoln County. The Board requested further information, so she will check into it.

Lastly, Ms. Devers had received a call from Greg Etl with DOLA who said he'd been contacted by the engineer working on the lift station at the fairgrounds to inquire about an Energy Impact grant. Since this is a different project than what the county tried to obtain a DOLA grant for when they were turned down, Mr. Etl told her that they could certainly try again. However, since the fund balance is still relatively high and the county is still providing the tax credit to residents, nothing has changed. The next grant application will be due on August 1, and Ms. Devers wasn't sure they would have the approval from CDPHE by then, which is a requirement. Otherwise, the next cycle will be in December with funding received in February of 2016. Mr.

King didn't think it was worth having her go through all the work of the grant application just to be turned down again.

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

Corinne M. Lengel, Clerk to the Board

Greg King, Chairman