

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

9:00 Call to order and Pledge of Allegiance

9:00 Troy McCue, Lincoln County Economic Development Corporation Executive Director, to present the LCEDC monthly report

10:00 Robert Kraxberger, Assistance Payments Supervisor, to present the Department of Human Services monthly report

11:00 Bill Noyce, Financial Professional for Curian Clearing, to discuss investment of the county's retirement funds

1:00 Andy Lorensen; County Coroner, to discuss coroner's office matters

1. Approve the minutes from the August 28, 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 August 31, 2015. The following attended: Chairman Greg King, Commissioners Doug Stone and Ed Schifferns, County Administrators Gary Ensign and Roxie Devers, and Clerk to the Board Corinne M. Lengel. County Attorney Stan Kimble attended in the afternoon.

Chairman King called the meeting to order and asked Ms. Devers to lead the Pledge of Allegiance.

Lincoln County Economic Development Corporation Executive Director Troy McCue then met with the Board to give the monthly report for the organization. Although the bid for the 2016 Rural Philanthropy Days was awarded to Phillips County, Mr. McCue was encouraged that Lincoln County did come in second place. He stated he learned a lot about the process and felt that having more support in attendance would have helped. Phillips County brought a commissioner, the mayor of Holyoke, and the president of the Chamber of Commerce, as well as other supporters, which Mr. McCue felt helped their presentation.

Mr. McCue made a total of nineteen business retention visits throughout the county during the month of August, reporting that he did some specific work with a couple of different businesses; one concerning the Lincoln County incentive policy and the other regarding phone and internet connections. He has been working closely with the gentleman who wants to start the plastics recycling business and commented that he is making progress. The gentleman did get a contract to dispose of some windmill blades in Kit Carson County, but then was later told they had not been cut into small enough pieces. Mr. McCue told him that if he wanted to continue making a name for himself, he would need to comply with the request to make the pieces smaller, so he did. He added that it is more difficult to dispose of the blades than one would think, as they are a high-tech carbide fiber. They did register the gentleman's LLC and he is working on putting in some curbside recycling bins for plastics and aluminum.

LCEDC has added two members to the list of business sponsorships; Hoffman Drug and Limon Stop & Shop, making a total of twelve business sponsorships as of March 1.

Mr. McCue had brought preliminary budget figures for 2016, stating that he is not planning to request a larger per capita as he feels that with a reduction in the administrative assistant line item, and by decreasing the amount spent on mileage and travel, he will have an estimated fund balance of \$46,000 at the beginning of next year. He added that the LCEDC board has not yet approved his proposed budget, so he will bring it back to the commissioners once it has been.

Mr. Schifferns asked how things were going with Taco Bell and Mr. McCue responded that he hasn't worked with them much, as they are doing everything through the town of Limon and Greg Tacha.

Mr. McCue went on to report that the compressed natural gas station business owners are closing on the property in Limon in September. The station will be located either just west of

McDonalds's or to the west of the Quality Inn, Mr. McCue wasn't sure which. They were awarded a \$500,000 grant through Colorado Alternate Fuels. Another business owner from Hugo would also like to locate their project in that same general area.

Mr. McCue reported that LCEDC will soon be known simply as Lincoln County EDC since the acronym is nationally known for economic development. Dave Dobbs from Hugo has agreed to serve on the EDC board and they will meet on Wednesday mornings beginning September 20 in order to better accommodate Mr. Dobbs and Trey Ford, who has also agreed to be a board member. Caleb Brent will be unable to serve, so the board seat for the town of Arriba will be vacant until the town chooses someone. EDC has no input when it comes to board member selection from the municipalities.

Ms. Devers asked if someone does studies to see if the work force is available when new businesses make the decision to locate in the county and Mr. McCue said that he would need to speak with Melody Bolton, as she keeps up with it better than he does.

Mr. Schiffers asked about the hotel/motel in Hugo and if anything further had happened with it and was told that the Chandler Group contacted Mr. McCue about locating in Lincoln County. Ben Orrell felt there were a couple of different options of where a hotel could be located in Hugo. Mr. Ensign suggested that Mr. McCue speak with someone in the town of Eads about how the hotel there has done financially. Mr. McCue said he would also need to do further research on the medical industry as he did not know much about it and wasn't sure what types of businesses related to that industry might do well in Lincoln County.

He went on to say that the town of Yuma has convinced Shopko to take over the vacant Alco store there, mainly through an excellent financial deal. Mr. McCue called the real estate broker for the Alco in Limon to see what they were asking as a purchase price. The broker told him they were considering leasing the building for \$5 per square foot, a total of roughly \$110,000, and the lessee would need to agree to pay the insurance and property taxes on it. Mr. McCue didn't feel that it would lease for that amount, adding that Big R has certainly seen an increase in business since Alco closed.

Mr. McCue left when Department of Human Services Assistance Payments Supervisor Robert Kraxberger arrived for his 10:00 a.m. appointment. The Board approved the August time sheets and July financial reports, and then Mr. Kraxberger presented the CKLECC Acceptance of Temple Hoyne Buell grant, as fiscal agent only. Mr. Stone made a motion to approve the acceptance of the Temple Hoyne Buell grant funds in the amount of \$17,000 as fiscal agent for CKLECC. Mr. Schiffers seconded the motion, which carried unanimously.

The Board reviewed the report from HCPF of Medicaid dollars spent in medical facilities by Medicaid clients, and then Mr. Kraxberger said he had no further business to report and left the meeting.

Mr. Stone made a motion to approve the minutes from the meeting held on August 28, 2015 as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. King called for commissioner reports, and Mr. Schifferns stated that he'd spoken with Chris Monks after the commissioner meeting on August 18 and they were hauling sand on Becker's road, which gets slick when it rains. He checked roads on August 21 and attended the hospital board meeting on August 27. They are implementing Health Information Management (HIM) 24-7 records, which will help accelerate payment of bills. The idea is to send for billing within twenty-four hours. They are also integrating physical with behavioral health, and mentioned that Walmart and Lowe's are expanding into healthcare. The hospital board also agreed they would like to see some medical-related business utilize some of the extra space that will be available in the building where Ben's Family Pharmacy will be located. Mr. Schifferns also spoke with Chris Monks on August 27 and the road crew had oiled some spots on County Rd 2W, fixed a portion of County Road 2J, and had finished working on Becker's road. He also commented that Chris told him they would be hauling some cement from the hospital but Ms. Devers said she thought that Scott Ravenkamp was taking it. Mr. Schifferns said he'd been contacted by Brian Rowden, manager of Ace Hardware in Flagler, who asked if he could be forgiven a portion of his landfill rates. Apparently, Mr. Rowden hauled some insulation and other materials from the roofing project at the Arriba-Flagler School to the Lincoln County landfill and was charged the out-of-county rates. He told Mr. Schifferns he bid the job prior to the county increasing the rates on June 5, so was not expecting to pay as much as he has. Mr. Rowden does own a business in Limon and since part of the school district is in Lincoln County, he felt he should be charged the in-county rates. Mr. Schifferns told him he would bring it up at the next commissioner meeting. Mr. King was not in favor of allowing a decrease or refund, and Mr. Stone asked how far along the project is. Mr. Schifferns said it is almost complete, so all agreed not to allow a refund of landfill fees.

Mr. Stone reported that Chris Monks spoke with him after the meeting on August 18 to report an altercation he'd had with one of the District Three road crew members. Chris later called back and apologized. On August 19, Mr. Stone spoke with Mr. King and Ms. Devers about the altercation, and then talked to Rick Ashcraft about the Cage Ranch. There is too much gravel on their road which causes problems when it rains. Mr. Stone said they would keep an eye on it. On August 24, he checked roads north of Karval and then on the Twenty-fifth, he checked roads south of Blue Cliff. It appears that Pioneer Drilling is moving their equipment out. On August 26, he spoke with Rick Ashcraft about roads, and then stopped by the county shop on August 27 to speak with Rick again. John DeWitt and someone from the state were there to look at gravel pits. Mr. Stone asked Mr. Ensign if he'd found the contract with Robert Safranek regarding the landfill fence but Mr. Ensign had not located it yet. Lastly, Mr. Stone said he'd received a phone call the day before from a resident who is happy with her roads and the new road grader operator.

Mr. King reported checking roads north of Arriba, Genoa, and Limon on August 21, and signing the abstract in Hugo on August 24. He also drove by the old People's Clinic to see the progress there, and spoke with Mark McHone about job applications. On August 27, he received a

complaint about bindweed in Gary Withington's ditch, so he contacted Wayne Shade who said he will take care of it on his next route, as it was too windy the last time he attempted to spray there. Mr. King stated that Melody Bolton's son will be putting together a model of the *U.S.S. Arizona*, so Mr. King will pick up a plaque at Vern's and have it engraved with that information. He will present it at the Hugo VFW on December 7 when the artifact is presented. Mr. King said he had received a few job applications for the open position in District Two, and he had spoken with Elon Calkum on August 29 who told him that the patio at the hospital is very nice.

Ms. Devers asked if the commissioners would like to meet with the road foremen on September 8 to discuss the 2016 budgets and they agreed. The Colette Barksdale investigation and final determination of reimbursable costs to the county were complete and Ms. Devers drafted a letter to Ms. Barksdale with the information, asking that she meet with the Board on September 8 to discuss the matter. Mr. Stone made a motion to approve the final determination of reimbursable costs that Ms. Barksdale will owe Lincoln County in the approximate amount of \$3,000, and to send her the letter. Mr. Schifferns seconded the motion, which carried unanimously.

Ms. Devers also reported that she and Stan Kimble met with members of CDOT; Travis Miller Rhianna Poss, Long Nuygen and Katrina Kloverdanz, regarding the deadline for the door and window project at the roundhouse. They discussed liquidated damages in the amount of \$1,400 per calendar day, and asked Ms. Devers to compose a letter to Spectrum General Contractors outlining several issues; including the contract specification that liquidated damages can be charged. She added that they will also require weekly meetings with Spectrum; phone conferences will be acceptable, and that Spectrum is scheduled to be out on September 2 to discuss additional structural repairs and the costs associated with them. Those at the CDOT meeting instructed Ms. Devers to call Spectrum and let them know that the letter is coming, so she will do that if the Board approves it. The commissioners agreed to speak with Stan Kimble about it to see if he had any further input before they made a decision. Ms. Devers added that she had received an email from Chris Cella with Spectrum the day after the meeting with CDOT justifying the company's reasons for not meeting the deadline.

Mr. King called for old business and Mr. Schifferns said he had not heard back concerning a representative to the Republican River Water Conservation Board yet. When asked if Kim Graham had mentioned anything further about the repairs needed in the combined courts portion of the courthouse, Ms. Devers said that Ms. Graham had spoken with court administration and was told that it is the county's responsibility to solicit bids for the remodeling. She added that she has heard there may be legislation next year to require courts to reimburse counties for the portion of county buildings that they use. Ms. Devers said she would need to determine what a proper lease or rental fee would be and may base it on the number used for the extension office. She did have John Mohan measure it and the courts take up a little over 13,000 square feet of the building. The DA's office is a little over 900.

There was no old business to discuss so the Board approved additional vouchers for the month of August.

At 11:00 a.m., Bill Noyce, Financial Professional for Curian Clearing, met with the Board to discuss the county's retirement funds. He recommended SEI to replace Curian Clearing, who will be closing their doors sometime at the end of the first quarter in 2016, and provided a Personalized Wealth Program and Investment Policy Statement. He then updated the group on the amount of funds the county currently has in each of the four accounts; \$1,197,000 in the aggressive account, a little over \$472,000 in the moderate account, approximately \$421,000 in the conservative account, and \$55,000 in the checking account. He stated that they like to keep around \$500,000 in the latter two accounts combined. Ms. Devers asked how long SEI has been around, and Mr. Noyce responded they have been in business since 1962 and are a very stable and reliable company. He added that Curian was a very smart company, but were probably ten-to-fifteen years ahead of their time, as they use fractional shares, which most companies do not. Mr. Noyce said he will bring Marc Alexander with SEI out to meet the Board the next time he comes. Mr. Ensign asked if the county would be responsible for honoring employee pensions if the fund went broke. Mr. Noyce responded that it would, but for the fund to go broke all the companies involved would have to go broke and have absolutely no liquidation or assets of any kind. He said if this company were to collapse, the entire U.S. market would have had to collapse.

Mr. Noyce left and the Board asked County Coroner Andy Lorensen if he would like to meet with the commissioners early instead of at 1:00 p.m. Mr. Lorensen said he only had a couple of things to discuss; first, that he needed to know what to do with the deputy coroner line item if he was no longer allowed to use the payroll account number on his vouchers. Ms. Lengel explained the auditor's request to not use payroll accounts since it skews the quarterly unemployment reports, but felt that it may be best to add line items to the 2016 budget rather than worry about changing it this year, especially since the third quarter will already be inaccurate. Ms. Devers said she would speak with County Auditor Ronny Farmer and see if it would be a problem to wait until next year.

Secondly, Mr. Lorensen said he would like to re-address the on-call pay for coroner deputies, as he still believes they need some compensation when he is out of the county. The deputies are required to remain in the county and cannot leave when they are on call, and Mr. Lorensen would like to pay them \$10 for a week night, \$20 per day for a weekend, and \$40 per day for holidays. Mr. King was not in favor of paying coroner deputies on-call pay. Mr. Stone wanted to know how much Mr. Lorensen felt it would take to cover a year of on-call pay and was told it would most likely be less than \$500. He does have approximately \$975 left for the remainder of 2015.

Mr. Stone felt it was a fair request and said they would look at it more at budget time, but Mr. King asked what they wanted to do for the remainder of this year. Mr. Schiffers made a motion to pay on-call coroner deputies \$10 per week day or night, \$20 per day on the weekend, and \$40 per holiday when on call for the county coroner for the remainder of 2015. Mr. Stone seconded the motion which carried with Mr. Schiffers and Mr. Stone voting in favor and Mr. King voting against.

Mr. Lorensen also informed the Board that he would be over-budget in his phone line item and was getting close to spending the allotted amounts in some of the other line items as well.

At 1:00 p.m., County Attorney Stan Kimble reported on the Kotrba complaint, stating that Land Use Administrator John DeWitt gathered the information and sent it to him for review. He also reported meeting with CDOT officials and Ms. Devers on August 26 and stated he felt a bit of relief that CDOT seems to understand the position the county is in. He asked if there had been any further development with the Karval cemetery property issue but no one had heard anything.

Mr. Stone made a motion to approve the letter to Spectrum General Contractors in regard to the schedule deadline for the Hugo roundhouse door and window project. Mr. Schiffers seconded the motion, which carried unanimously.

Ms. Devers asked the group if they wanted to schedule another meeting to discuss the oil and gas regulations and Mr. Kimble said that when they last met with Barbara Green, she was alarmed that the regulations were only use by right. Mr. King put in that the companies are definitely damaging county roads and Mr. Schiffers agreed that they need to be held accountable, as the wind energy companies are.

Mr. Kimble said he was also working with the sheriff, who wanted to know what CORA covers in regard to inmate and court records, so he has been breaking down the language for the criminal justice records. He added that records are sealed in an ongoing investigation but once the case has been cleared, many documents are subject to CORA.

County Coroner Andy Lorensen had stopped back in and asked Mr. Kimble to review the CORA requirements in regard to his department as well, as he has a case from 2013 in which GM has sent a CORA request. While the public is entitled to autopsy reports, other records may require a subpoena. He also wanted to know who would represent him in a case, should he need representation. Mr. Kimble told him that as long as the conflict is not between the coroner and the county commissioners, he would be able to represent him.

After a brief discussion concerning an office for the coroner, the group looked at the office in the lobby that once had been used by Weed Control Coordinator Wayne Shade. Human Services now uses it for storage, and the Board agreed they would most likely request DHS to find another storage area so that the coroner could have an office.

With no further business to come before the Board, the meeting was adjourned at 2:45 p.m. until 9:00 a.m. on September 8, 2015.

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Corinne M. Lengel, Clerk to the Board

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Greg King, Chairman