

Board of County Commissioners of Lincoln County
Agenda for October 29, 2015

9:00 Call to order and Pledge of Allegiance

10:00 Roxie Devers, Roundhouse Project Coordinator, to present a contract for additional work at the Roundhouse

1. Approve the minutes from the October 19, 2015 meeting
2. Review employee Agreement and Promissory Note
3. Review Statement of Findings regarding alleged Workplace Violence
4. Review Lincoln County Fairgrounds Manager/Fair Manager Job Description
5. Review bids submitted for sale of vacant lots in Genoa, Colorado
6. Review letter from the Colorado Division of Reclamation, Mining and Safety regarding Notice of 111 Construction Materials Reclamation Permit Release Request Consideration
7. Request to purchase replacement tables for the Jury Assembly Room
8. Discussion of courthouse parking lot security lighting
9. Old business
10. New business
11. Approve payroll and expense vouchers

The Board of Lincoln County Commissioners met at 9:00 a.m. on October 29, 2015. The following attended: Chairman Greg King, Commissioners Doug Stone and Ed Schifferns, County Administrator Gary Ensign, and Clerk to the Board Corinne M. Lengel. County Attorney Stan Kimble arrived at 10:30 a.m. and left at 11:30 a.m.

Chairman King called the meeting to order and asked Mr. Schifferns to lead the Pledge of Allegiance.

Several Department of Human Services employees then met with the Board to discuss issues with the department director and to defend an employee who they felt was treated unjustly. Roxie Devers was also in attendance for the discussion.

A statement was read regarding false accusations made by department director Colette Barksdale at the September 30, 2015, commissioner meeting. Ms. Barksdale had stated at the September 30 meeting that the IV-D Administrator relied too much on help from the state and other resources which she cited as a reason for not granting the employee a pay increase. However, documentation from CDHS was provided supporting the employee's performance and expressing that collaboration and cooperation between the state office and county offices are highly encouraged. According to a letter from Patricia Dunn, Program Specialist with the State of Colorado Child Support Services, counties are tracked on Cases with Paternity Established, Cases with Order Established, Current Support Collections, and Cases with an Arrears Payment. Lincoln County is currently exceeding the first three goals and is well within reach of the fourth goal, as well as consistently up-to-date with system-driven automated alerts, calendar reviews, and locate information to increase child support collections. Not only that, but the IV-D Administrator is focused on efficiently and proactively working her caseload and interested in utilizing a state developed interactive system to improve her percentages. The letter concluded with the comment that the IV-D Administrator is a dedicated, enthusiastic and hardworking technician working on behalf of the children in Lincoln County. When the original promotion was given, Ms. Barksdale had said it would be a promotion with "no extra pay at this time," although she didn't mention it would be over two years. Even though Ms. Barksdale had told the commissioners there were conversations about the employee's work performance, those conversations actually never took place.

Other DHS employees agreed that the treatment was an injustice and provided supportive comments to the benefit of the IV-D Administrator. Ms. Barksdale was informed by the previous IV-D Administrator that they needed to help the new administrator develop the network of individuals that would provide the guidance required, but that never happened. The new administrator was simply left to figure it out on her own. Ms. Barksdale never consulted the former IV-D Administrator regarding an evaluation or performance issues of the new administrator but if she had, she would have given testimony of what an excellent job her successor was doing.

Comments also included the fact that Ms. Barksdale spends little time in the office and how low staff morale has gotten when she *is* present, especially since the recent issues were brought

forth. The group felt that they have no direction and are concerned about retaliation from Ms. Barksdale should they say anything to her without a witness present.

Another topic was brought up concerning the fact that several boxes/years of files that Ms. Barksdale said she was taking to have microfilmed/digitized seem to have disappeared. It's possible that they are somewhere that only Ms. Barksdale is aware of. There was also concern that Ms. Barksdale has been seen shredding numerous documents since being confronted by the commissioners about her misuse of county funds.

The Board asked for comments from Ms. Devers, who simply commended the group for coming to her and to the commissioners, and for bringing the whole situation into the open.

Mr. Ensign stated that he had noticed a large, 12-passenger van in the parking lot north of the courthouse with a temporary permit on it that apparently belonged to DHS. He asked the group if they knew anything about it and was told that it had been purchased on a purchase order (P.O.) for the family of a homicide case. Several children are in the custody of an aunt who also has children, and the family was concerned that they would not be able to take the entire family somewhere if necessary. Discussions in the department brought up the idea of getting the family a van, so Ms. Barksdale spoke with someone at the state when she was asked what the state could do to help. She was told the state would try and obtain some grant funding but then Ms. Barksdale simply made the decision to buy the van when they found one they liked. She had asked the accounting clerk for a \$10,000 check but was told that a check could not be written mid-month without commissioner approval. Ms. Barksdale then contacted the Treasurer's office to see if the funds could be transferred and a check written that way but was given the same response. Apparently, the dealership allowed the department to take the van off the lot on a purchase order only. The plan was to sign the title over to the family once the van is paid for and the title received from the dealership. Mr. Ensign asked who had insured the vehicle when it was driven back to Hugo and stated that the purchase was made without commissioner approval and the vehicle was not insured. He added that it was certainly a good thing nothing had happened when bringing the van home.

Mr. Schiffers asked if Ms. Barksdale had approved the van purchase on a P.O. and was told that she had. The comment was made that Ms. Barksdale is often extremely impulsive, particularly when making financial decisions.

Mr. King asked who is in charge of the office when Ms. Barksdale is gone but was told that there really is no "second in command." Robert Kraxberger supervises the Income Maintenance portion of the office and Patricia Phillips supervises the Child Support and other programs. They all work independently, but since Ms. Barksdale is actually supposed to supervise the supervisors and is rarely there, they feel that they are basically on their own.

Mr. Ensign wanted to clarify that the records that were supposed to be digitized are useless and was told that there are no visible records prior to 2011; particularly, receipts, accounts payable checks, employee time sheets, and financial reports.

The comment was made that the employees are tired of being placed into ethical dilemmas by their boss and the team-building activities from the past were brought up as an example. Ms. Barksdale had told the staff not to worry about it when she was asked if the commissioners knew her plans to leave the county when she had specifically been told by the Board not to.

Mr. Ensign asked if Ms. Barksdale is currently using other employees' county credit cards to mask her expenses but no one knew; only that she wasn't using the credit cards of any of those employees present. He then brought up a trip to Seattle and was told that it is a legitimate day and a half IV-E Waiver convention funded by scholarships (up to four per county) that cover airfare, hotel rooms and meals. It is specifically designed for employees who work in IV-E Waiver Kinship; however, Ms. Barksdale is also scheduled to go, which those present did not feel necessary.

The group left at 10:25 a.m., and Roxie Devers, Roundhouse Project Coordinator, met with the Board to present a contract for additional work at the roundhouse. It was decided that the interior brick should be cleaned before the windows are put in, which was not a part of the original specs, so Roundhouse Preservation, Inc. asked the Lincoln County Tourism Board for funds and was granted \$5,000. RPI will put in the remainder of the \$6,863.98 to complete the task. Currently, they are fixing a couple of the windowsills, repointing the brick, and replacing door column two. There are three headers above the doors that will need to be replaced that were not in the original specs but Ms. Devers said she has submitted a change order for that work.

Mr. Stone made a motion to approve the proposal from Spectrum General Contractors in the amount of \$6,863.98; \$5,000 to be paid from county tourism funds and the remainder to be paid by Roundhouse Preservation, Inc. Mr. Schiffers seconded the motion, which carried unanimously.

County Attorney Stan Kimble arrived at that time, and discussion returned to the earlier meeting with Human Services employees and making a decision regarding Ms. Barksdale's continued employment. The commissioners agreed they did not want to continue prolonging the inevitable. Mr. King commented that although the morale issues are tenuous and contributory factors, he would prefer to use the bookkeeping issues and misuse of county funds as grounds for termination.

Mr. Kimble stated that Cynthia Barnes with CTSI had suggested the county file an insurance claim on the \$3,023.62 in order to show that the commissioners are serious about the action. Mr. Kimble will speak with Ms. Barnes again later today and will put something in writing for the commissioners to give to Ms. Barksdale when her employment is ended. Mr. Ensign asked if it would be best to allow Ms. Barksdale to have the option of resigning and the group agreed that it would be.

Mr. Ensign also asked if anyone knew why the Director of Human Services is a contract employee rather than a regular employee like all other salaried county employees. Mr. Kimble

felt it may have happened when the state relinquished control of Social Services back to the county. Mr. Schifferns felt that it may be time to either change the contract or do away with it altogether. Mr. Kimble agreed that it needed to be stricter if they do decide to continue with a contract employee, and Mr. King said he would prefer it include that the director could not be a member of so many different boards so that he/she spends more time in the office.

Mr. Schifferns made a motion to approve the minutes from the meeting held on October 19, 2015, as submitted. Mr. Stone seconded the motion, which carried. Mr. King abstained from the vote since he had not attended the meeting.

The Board reviewed the agreement and promissory note from Human Services Director Colette Barksdale who agreed to reimburse the county \$3,023.62. Mr. Stone made a motion to approve the agreement and note, Mr. Schifferns seconded the motion, and it carried unanimously.

Also reviewed was the Statement of Findings regarding alleged workplace violence submitted by Vicki Jo Edwards. Ms. Edwards determined that “the standard has not been met and that there was no act of violence in the workplace.” She did, however, suggest “training in supervisory skills as well as appropriate employee conduct with respect to complying with orders from a supervising employee.” Mr. Stone asked if CCI could offer training for road foremen that the commissioners would make mandatory and Mr. Ensign said he would check into it. He will also send a copy of Ms. Edwards’ findings to both parties involved.

The Board reviewed the Fairgrounds Manager/Fair Manager job description and Mr. Schifferns made a motion to approve the job description. Mr. Stone seconded the motion, which carried unanimously.

Two bids submitted for sale of vacant lots in Genoa were reviewed and Mr. Schifferns made a motion to accept Jason Eager’s bid of \$2,404.00. Mr. Stone seconded the motion, which carried unanimously. Mr. Kimble will prepare the appropriate deeds and will give them to Mr. Eager to file in the Clerk’s office. He will include a real property transfer declaration so that Mr. Eager will pay the taxes on the property.

The Board reviewed a letter from the Colorado Division of Reclamation, Mining and Safety regarding Notice of 111 Construction Materials Reclamation Permit Release Request Consideration. No action was required unless the county felt the need to contest, which the commissioners did not.

The Board discussed the request to purchase replacement tables for the jury assembly room in the courthouse; Mr. Ensign explaining that John Mohan would like to purchase fifteen six-foot tables from Hugo Lumber for \$66 each. He would also like to put two eight-foot tables in the employee lounge. Mr. Schifferns made a motion to approve the purchase of \$1,200 for new tables in the courthouse jury assembly room and employee lounge. Mr. Stone seconded the motion, which carried unanimously.

Mr. King asked how the old tables would be disposed of and it was agreed that the county departments would be given first choice if there is need in any of the offices. Any remaining tables could be sold for a minimal amount.

Discussion turned to the security lighting in the courthouse parking lot. Mr. Ensign said that many of the bulbs and ballasts need replaced and it will require a bucket truck to get to them, due to their height. John Mohan did request bids from local electric companies and received one from Leo's Electrical in the amount of \$20,000. He is still waiting for a response from Limon Electric and Shideler Electric. Mr. Ensign felt they need to be replaced with LED lights and shorter poles so that they are more easily accessible in the future. Mr. Schiffers wanted to know how soon it could be done and Mr. Ensign responded that he assumed as soon as the supplies were ordered and received. The Board agreed to wait and see if bids come in from the other two companies.

There was no old business and the group discussed the following day's agenda before approving the October 2015 payroll and expense vouchers for the month.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on October 30, 2015.

Corinne M. Lengel, Clerk to the Board

Greg King, Chairman