

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

9:00 Call to order and Pledge of Allegiance

9:00 John Palmer to discuss Fairgrounds Manager/Fair Manager position

10:00 Kevin Stansbury, Chief Executive Officer, Lincoln Community Hospital, to discuss potential care facility purchase and efforts with neighboring hospitals

11:00 Colette Barksdale, Human Services Director, to present the Department of Human Services monthly report

1:30 Andy Lorensen, County Coroner, to discuss an Intergovernmental Agreement for Colorado County Coroners and Medical Examiners Mutual Aid and Assistance

1. Approve the minutes from the October 29, 2015 meeting
2. Discuss use of the county vehicles at the landfill
3. County Commissioner reports
4. County Administrator's report
5. County Attorney's report
6. Old business
7. New business
8. Approve additional expense vouchers if necessary

The Board of Lincoln County Commissioners met at 9:00 a.m. on October 30, 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 9:10 a.m.

Chairman King called the meeting to order and asked John Palmer to lead the Pledge of Allegiance, and then the group discussed the fairgrounds manager position. Mr. Palmer would like to share the position with his son, Adrian, who would actually be in charge of daily operations and receive the monthly salary of \$1,600. He would be available to help when necessary at an hourly rate, as he has done in the past. Adrian has worked at the fairgrounds and cares about the facility just as he does, according to Mr. Palmer. Mr. Ensign told him there should be one person to contact rather than two. Mr. Palmer stated he would actually have the title of Fairgrounds Manager/Fair Manager but Adrian would do the work and get the pay. He added that he has many ideas and discussed a few of them with the Board.

Mr. Schifferns commented that the county needs to bring the fair back to life and Mr. Palmer agreed, stating he would like to involve members of the fair board in more ways that may directly relate to their personal areas of expertise. Mr. Stone said that something must be done with the sound system and Mr. Schifferns said he would be glad to help if he could.

Mr. Ensign asked Mr. Palmer if he would be available to start on December 1 if the Board chose to hire him, as Julie Joffe wants the new person to have a month of training before she retires. He agreed that it would not be a problem. Mr. Ensign also stated that with the new lift station installation in the spring, there will most likely be more hours of service required of the fairgrounds manager at that time, which also was not a problem. Mr. Palmer said he would like to work with Tom Lee, Mike Mosher, and Julie Joffe to locate utility lines. He asked how often he would need to meet with the commissioners and was told that expenditures over \$500 will require Board approval; otherwise, only on an as-needed basis. The commissioners agreed that Mr. Ensign would be his first point of contact. Mr. Ensign stated that operation matters would be done at Mr. Palmer's discretion but policy matters or concerns would need to come before the Board. The policy Ms. Devers had was to bring questionable items to the commissioners, so Mr. Ensign felt that would be a good practice to continue.

Mr. Stone made a motion to appoint John Palmer as the Fairgrounds Manager/Fair Manager, effective January 1, 2016. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Kimble had drafted a letter to Director of Human Services Colette Barksdale terminating her contract due to non-performance of the contract; particularly, management of time and property, which the Board reviewed. Discussion was held regarding allowing Ms. Barksdale the option of resigning rather than being fired; Ms. Lengel addressing the issue of any unpaid sick and vacation time being paid, depending on which option Ms. Barksdale chose. Mr. Kimble referred to Colorado Revised Statute and relayed that should Ms. Barksdale choose to resign, any remaining earned wages and compensation for labor or service that are unpaid would be due and payable on the next regular payday. If she does not take that option and is fired, Ms.

Barksdale would be allowed to collect the wages or compensation no later than six hours after the start of business of the accounting department's next regular workday. Ms. Lengel stated that it may be a challenge for her office to print a payroll check when payroll is done via direct deposit, but she would look into it and see what could be done. The commissioners also briefly discussed the possibility of an interim director from within the department.

Mr. Schifferns made a motion to terminate Department of Human Services Director Colette Barksdale's employment with Lincoln County, effective October 30, 2015; either by resignation or direct commissioner action. Mr. Stone seconded the motion, which carried unanimously.

Mr. Ensign stated that Sheriff Nestor would be available to escort Ms. Barksdale from the building and James Martin will need to make sure that Ms. Barksdale's remote access to all DHS computers is blocked. Mr. Kimble commented that Cynthia Barnes with CTSI has informed him that the county had sufficient grounds for termination and will back the Board's decision.

At 10:00 a.m., Lincoln Community Hospital Chief Executive Officer Kevin Stansbury met with the Board to discuss potential care facility purchase, and efforts with neighboring hospitals. Due to the nature of the former conversation, Mr. Stansbury requested an executive session.

Mr. Stone made a motion to go into executive session, per 24-6-402 (4) (a) C.R.S., to discuss potential care facility purchase with Kevin Stansbury, Chief Executive Officer of Lincoln Community Hospital. Mr. Schifferns seconded the motion, which carried unanimously. Those remaining for the session were Mr. King, Mr. Stone, Mr. Schifferns, Mr. Ensign, Mr. Kimble, Mr. Stansbury and Ms. Lengel. The session was recorded and will remain on file in the County Clerk's vault for the statutory ninety days.

After coming out of executive session, Mr. Stansbury informed the Board that healthcare reform has put rural hospitals in distress, so those facilities in surrounding areas such as Burlington, Eads, Cheyenne Wells, and Wray are forming a consortium with LCH to create better rural healthcare. Sharing the purchase of supplies in order to lower the cost as well as sharing specialty doctors will help to improve services and avoid waste. They would like to hire a surgeon who would travel between the facilities so that patients don't always have to go to Denver for specialized surgeries. If there are enough cases among the five hospitals, there may be the possibility of finding a doctor who could cover them.

Mr. King asked if each of the five hospitals has a surgical facility but they do not, so there may be an opportunity to lease LCH space and even staff to those other hospitals when they are not in use. Mr. Stansbury added that they are making good progress with the idea and he will keep the commissioners informed on how it evolves. Mr. Kimble wanted to know if all five hospitals are county-owned facilities but LCH is actually the only hospital that is fully county-owned. The majority are special districts. Mr. Ensign told Mr. Stansbury that he feels there is a lot of good going on at the hospital and great progress being made through forward-thinking and innovative ideas.

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

A call was placed to Landfill Operator Mick Jaques to discuss personal use of county vehicles. He explained that his own pickup is too unpredictable in winter weather and he just wants to be able to make it to work, so he would like to be allowed the use of the landfill 4-wheel drive vehicle when the weather gets bad. He added that they are at work six days a week no matter what and he simply wants to be able to get to the landfill to do his job. Mr. Stone commented that they allow road crewmen to take vehicles home since they are expected to work when the weather is bad, so he didn't see any reason that Mick couldn't do the same. Mr. King told him to be sure he limits the use to severe weather days only and to notify Mr. Ensign when he intends to do that.

At 11:00 a.m., Human Services Director Colette Barksdale and Robert Kraxberger met with the Board to give the monthly report. Sheriff Tom Nestor and Undersheriff Gordon Nall were also in attendance.

The Board reviewed the October time sheets and financial reports, as well as the C-Stat report. Mr. Kraxberger reported they are slowly getting their file room cleaned out for County Coroner Andy Lorensen.

Ms. Barksdale said the joint sheriff's office/DHS department pizza party had gone well the day before. She also commented that the van they had purchased for \$9,000 recently would be titled to Human Services and then to the family they had bought it for. When asked, she said it had been covered under the county's insurance when they brought it back to Hugo. Mr. Schifferns wanted to know whose decision it was to buy the van and Ms. Barksdale responded that it was the decision of the Fatality Review Committee. Mr. King asked why the purchase hadn't come to the commissioners for approval since it was such a large sum. Ms. Barksdale stated that the department never seeks board approval for client benefits, which is what it was.

Mr. Kraxberger gave a brief update on the holiday basket program, and then Ms. Barksdale reported that there have been FNS fraud issues recently and the new state investigator is particularly concerned with out-of-state transactions and extra EBT cards. Mr. Kraxberger explained that they do have a report they can access to check up on people, and they have actually caught some fraudulent activities that way. Ms. Barksdale said that they would hopefully be able to prosecute if it comes to that and added that they haven't had as many problems as some other counties have. Since they no longer have anyone in the department working fraud cases, they may have to work with the sheriff's department.

Mr. King asked that Ms. Barksdale remain to speak with the commissioners so Mr. Kraxberger left. Mr. King informed Ms. Barksdale that the Board had voted 3-0 to terminate her employment with Lincoln County, effective immediately. He stated that they would like to offer her the option to resign if she would prefer, but Ms. Barksdale responded that she had to

be given thirty days' notice, according to her contract. Mr. Kimble explained that the contract does allow for immediate termination for cause, which in her case was management of time and property. He added that he has kept in contact with the county's insurance attorneys to make sure that no errors were made on the Board's behalf and they agreed with the commissioners' course of action. Ms. Barksdale commented, "If that's how you want it." Mr. King informed her that the sheriff and undersheriff would escort her to her office to gather her personal things, and Ms. Barksdale left without a copy of the letter signed by the Board.

Mr. King called for commissioner reports and Mr. Stone reported attending the hospital ribbon-cutting ceremony for the new patio on October 21. His district had received some heavy rains and he checked on a bridge southwest of Karval where the water was washing out the bulkhead. The road crew took care of it. On October 22, he checked other roads in the district where it had rained, and also stopped by the county shop. On October 26, he met with John Rowe with CAT who had come out to look at the machines District Three would like to trade in. A county resident also stopped later that afternoon and discussed growing hemp. On October 28, Mr. Stone received a letter from Steve Bailey who is interested in being on the Karval Cemetery Board. He gave the letter to Mr. Ensign.

Mr. Schifferns reported attending the hospital ribbon-cutting ceremony as well, and said the District One road crew finished putting in culverts down south on October 22. On the Twenty-eighth, he spoke with Chris Monks who said they should be finished mowing and that the repaving of County Road 109 at the courthouse back entrance was complete. They are considering replacing three trucks and looked at some prices, and also took their sand truck to Denver to have a new bed put on.

Mr. King reported checking roads north of Genoa and Limon on October 14.

Mr. Ensign reported that it is time to replace the courthouse mower and provided four quotes from John Mohan: MAC Equipment, Inc. for \$12,876; Craig's Power Equipment, LLC for \$13,021.30; Dan's Small Engine – DSE, Inc. for \$13,668.60; and Kurtzer's for \$13,300. Trade-in value of the old mower may be around \$1,500.

Mr. Stone made a motion to purchase a Walker 25-HP mower from MAC Equipment, Inc. in the amount of \$12,876 from the 2015 Capital Projects fund for the grounds and buildings department. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Kimble reported that he had not received any further information from Land Use Administrator John DeWitt on the three nuisance properties, and Mr. King thanked him for his hard work in relation to the Barksdale incident.

There was no old business, but Mr. King had asked DHS employees to meet with the commissioners in the afternoon, so at 1:30 p.m., Robert Kraxberger, Melissa Gossett, Patricia Phillips, Kelly Johnson, Sarah Carter, Lauren Lyons, Elizabeth Cox, Tricia Borns, Debi Klapperich, Sherri Hansen, and Andy Lorensen arrived to discuss their department.

Mr. King said he assumed they knew that Ms. Barksdale had been relieved of her duties and wanted them all to know that he appreciated any information they had provided. He proposed that Ms. Hansen see the group through the 2016 budget process since she is the accountant for the department. Ms. Hansen said that Ms. Barksdale had never actually given her the completed budget figures but she would see what she could find. Mr. King added that the commissioners would contact the state office, and Mr. Schiffers put in that it would take all of them cooperating to make things work until a new director could be hired. Mr. Ensign stated that it would be beneficial to the commissioners if the DHS employees could propose some type of organizational structure since they knew what was best for their department and the clients of Lincoln County.

Patricia Phillips said she didn't know if the state had much input on hiring a new director since it is a county position, adding that the director in a small department such as theirs need to be able to supervise the supervisors and caseworkers and even do intake for the office. Robert Kraxberger added that they also need to know about finance. Sherri Hansen stated that they often see job postings from CDHS so it may be possible to post it there. She added that Chad with Y-Time would like to know who will be responsible for overseeing the supervisors.

Andy Lorensen asked if the commissioners would entertain the idea of an interim director and the Board agreed that they had discussed it. All those present agreed that Ms. Phillips would be the best choice, so Mr. Stone made a motion to appoint Patricia Phillips as the interim director of the Lincoln County Department of Human Services. Mr. Schiffers seconded the motion, which carried unanimously.

Debi Klapperich thanked the Board for inviting everyone in from the department to discuss it.

The group left and County Coroner Andy Lorensen met with the Board to discuss an Intergovernmental Agreement for Colorado County Coroners and Medical Examiners Mutual Aid and Assistance. He stated that resources would be stretched thin if there were to be a mass casualty, and the IGA would allow him to activate a coroner's assist team which consists of other counties. It would also provide guidelines of how to compensate those providing assistance. Mr. King asked if every Colorado coroner would have one of the IGAs and Mr. Lorensen said it is not mandatory but many do want to have something in place.

Mr. Kimble said it covers personnel, salaries, wages, and overtime as well as materials, supplies, and insurance after a twelve-hour period. The question arose as to what would happen if he were covering another county and an incident occurred in Lincoln County. Mr. Lorensen said that only he and his chief deputy are on the list to respond to other counties, so there are always other deputies on call in Lincoln County should something happen. He also added that other counties would help if necessary and there is no financial responsibility unless he has to put something in place.

Mr. Schifferns made a motion to approve the Intergovernmental Agreement for Colorado County Coroners and Medical Examiners Mutual Aid and Assistance. Mr. Stone seconded the motion, which carried unanimously.

Mr. Lorensen also wanted to discuss the fact that he will be over his 2015 budget in the Professional Services line item. Colorado Revised Statute requires that an autopsy is performed in any instance where death occurs that is non-natural, the result of a motor vehicle accident, or when requested by the District Attorney. The cost for an autopsy is \$1,325. Mr. King wanted to know why an autopsy would be required of all motor vehicle accident victims instead of just the driver. Mr. Lorensen said that if the driver were to survive, there may be civil lawsuits or criminal prosecution from families of the victims and they would need to know that the accident was the direct cause of death.

Mr. Lorensen said he is also overspent in the Education and Training and Travel and Transportation line items due to the fact that he had to attend more than one conference in 2015 to meet the requirements of his position. Mr. King asked if he would need a supplemental appropriation at the end of the year and Mr. Lorensen said he most definitely would. Mr. King asked if he had added enough into his 2016 budget to hopefully avoid the issue again. Mr. Lorensen said he would certainly rather turn money back to the county at the end of the year than to be over-budget.

Mr. Lorensen left and Ms. Lengel asked the Board if the county offices could be closed on Christmas Eve since there is generally very little business that day. After verifying that the offices have been closed on Christmas Eve in the past, Mr. Stone made a motion to close the county offices on December 24, 2015. Mr. Schifferns seconded the motion, which carried unanimously.

Ms. Lengel also reminded the commissioners that they had considered raising the per diem rate at budget time but it had not yet been discussed. The Board said they would consider raising the per diem and address it at a later meeting.

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

Corinne M. Lengel, Clerk to the Board

Greg King, Chairman