

Board of County Commissioners of Lincoln County
Agenda for April 6, 2016

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 Sue Kelly, Public Health Director, to present the agency's March, 2016, report

1:00 Maryjo Downey, Executive Director of the East Central Council of Local Governments, to discuss the Fairgrounds Enterprise Zone project and to present a request for a two year time-extension for the existing CDBG grant contract

1:30 Additional consideration and action on proposed Resolution Number 921; a resolution to amend the zoning resolution providing for standards for regulation of the construction and operation of wind energy facilities

1. Approve the minutes from the March 31, 2016, meeting
2. County Commissioners' reports
3. County Attorney's Report
4. County Administrator's report
5. Old business
6. New business
7. Approve expense vouchers

The Board of Lincoln County Commissioners met at 9:00 a.m. on April 6, 2016. The following attended: Chairman Greg King, Commissioner Doug Stone, County Administrator Gary Ensign, and Clerk to the Board Corinne M. Lengel. Commissioner Ed Schifferns was absent and excused, and County Attorney Stan Kimble attended in the afternoon.

Chairman King called the meeting to order and asked Lincoln County EDC Director Troy McCue to lead the Pledge of Allegiance.

Mr. McCue then gave his March report, discussing the newly appointed town boards in Arriba, Hugo, and Limon, as well as the fact that the "People's Ordinance" was defeated in Arriba. He spoke of the OEDIT Initiative Program, which helps to identify goals for specific areas and provides technical expertise at the state level for the development of strategic efforts. The program would be a great first step to begin conversations regarding an overall countywide plan, according to Mr. McCue. He reported briefly on activities in each individual community, such as the fact that the hotel feasibility study in Hugo was tabled for the time being and until the new board decides if it is something they want to pursue. Mr. McCue apologized for not obtaining the complete support of a community before attempting to get specific projects started. He is working on the possibility of a new liquor store in Hugo, as well. Mr. Stone asked if the Subway in Loaf & Jug was progressing and Mr. McCue responded that he needed to stop by as he hadn't checked on it for a while, but the last he knew, they were having problems finding employees. Mr. Ensign said they are actually working on it and it is rumored to be opening soon. Mr. McCue felt the Taco Bell in Limon may have similar issues due to the lack of workforce. As for SBDC, Limon has three active clients at this time; including, a family buyout, concerns with the plastics recycling project, and the investigation of an improvement district in west Limon. The forming of a GID, or General Improvement District, would require voter approval, as well as unanimous agreement from adjacent landowners. They would also have to determine if public gain outweighs corporate gain for the type of development that is being discussed. Mr. McCue gave an update on the Lincoln Theatre and then thanked the Board for their help with the sponsorship of the SelectUSA conference in Washington, D.C., that he and Joe Kiely will attend in June. He attended the Karval Alliance meeting and is assisting with public contact literature for the organization, and also plans to attend the plover festival chuck wagon meal at the end of the month.

Once Mr. McCue had gone, Mr. Stone made a motion to approve the minutes from the meeting held on March 31, 2016, as submitted. Mr. King seconded the motion, which carried.

Mr. Stone reported speaking with Rick Ashcraft on April 4 about the crack sealing machine and stated that if the wind is not too much of an issue, they hope to begin the project soon.

Mr. King reported that the road crew put in a new culvert at County Road 3X and County Road 28 on April 5, fixing the problem he had discussed at the previous meeting. He received a message from Mark McHone that Kimel Jones told him County Road 63 is in excellent shape.

At 10:00 a.m., Public Health Director Sue Kelly met with the Board to give her department report for the month of March. Ms. Kelly said that Heike Petersen has formally resigned from Rural Solutions, two dog bites were investigated and seventeen immunizations given during the month, and they now have a contract with CHP+ to bill them for immunizations. They also have a contract with Glaxo-Smith Kline to order Menveo, which is the meningitis vaccine. An increase of \$2,571 was received for the Immunization Core contract, which now totals \$11,660, and CDPHE initiated a TAIR (Technical Assistance for Immunization Reporting) contract for Public Health to assist schools and child care centers with their mandatory reporting. Ms. Kelly wanted the commissioners to know that there was a potential loss of over \$20,000 in vaccine during the power outage on March 23 during the blizzard, but thankfully, it hadn't been an issue. She again reiterated that they will need to do something soon regarding a generator or new refrigerator/freezer.

Mr. King asked if WIC is transferrable if someone moves from another state or if the party would have to reapply. Ms. Kelly responded that since it is a federal program, it is an easy transition from state to state. The person would simply need to obtain a transfer card from their home state and present it when they moved to Colorado.

Ms. Kelly provided the results of the Limon community STEPP survey regarding smokeless tobacco and electronic cigarettes/vaping. Of the nineteen responses, eight were from employees at local businesses, six were from community members, and the rest came from business owners, Town of Limon employees, and the local hospital and clinics. The survey respondents strongly supported a Town of Limon restriction on the use of electronic cigarettes/vaping in public places. A small number of the respondents favored a restriction on smokeless tobacco, and the majority did not support a Town of Limon ban on the sale of flavored tobacco products.

Ms. Kelly spent a great deal of time in March working with the State Pharmacy Board and local pharmacist Ben Ferree about LCPH's "other outlet" pharmacy license; including, how it is affected by the Family Planning Program and a new initiative to allow for additional dispensing of other prescription drugs in the ER and Family Practice Clinics. She stated that Public Health has been in possession of a Colorado State Pharmacy License as an "other outlet" since 1999 and is under the supervision of Ben Ferree. The need to carry an "other outlet" license separate from the hospital is due to Board of Pharmacy regulations that prohibit any hospital from dispensing more than a 24-hour supply of any medication to any patient. There is a new initiative coming forward as a result of collaboration between Ben's Family Pharmacy, Lincoln Community Hospital and its medical staff, and Public Health. Its purpose is to enable local patients to acquire more than one days' supply of prescription medications at their provider's office when they are seen, which helps in the event of no pharmacy in the community (such as Flagler) or hours of non-operation (such as weekends or evenings). Ms. Kelly said the Pharmacy Board has been very involved in the process to make sure no regulations are being violated, and that Mr. Ferree is in charge of the protocols and necessary inspections and assures there is no liability involved for Public Health. He will provide the medications, he has purchased "dispensing carts", and the protocols were discussed by the Pharmacy Board on March 31. If

approved, Public Health will enter into an MOU and will likely have to pay a nominal fee to “rent” the dispensing units in order to meet the letter of the law. Ms. Kelly said she will keep the commissioners updated on the outcome.

Mr. King asked if there would be problems with West Nile virus and the Zika virus this summer. Ms. Kelly said that the latter would most likely not be a problem but that the West Nile threat would be about the same as usual.

When Ms. Kelly left, Mr. King called for the administrator’s report. Mr. Ensign provided his and Mr. DeWitt’s time sheets for March, and then explained that the previous day’s department head meeting was cancelled due to the fact that several department heads had other commitments or matters to attend to. He stated that the group will discuss the courthouse vehicle when they next meet. The fairgrounds project in regard to the Ellis Allen building is complete and the total cost was approximately \$4,600. Mr. Ensign said he spoke with Dave Frisch the previous day, who felt there will be some good bids come in for the lift station project.

Mr. Ensign had received a request for a letter of support from Wiepking-Fullerton as they appear to be in trouble with the Oil & Gas Commission for not reclaiming one of their sites in Lincoln County. They have contributed quite a bit of funding to local community organizations; including, HEDGE, HIP, and the Hugo fire department. Also, ad valorem taxes between 2010 and 2015 were over \$10 million. Mr. King asked if the company would be required to reclaim the site. Mr. Ensign felt sure they would and that the letter of support would most likely help to reduce their fine.

Mr. Stone made a motion to send a letter of good will on behalf of Wiepking-Fullerton Energy, LLC. Mr. King seconded the motion, which carried.

Mr. Ensign also informed the commissioners that they were asked to send a letter of support for a potential wind farm coming into the county but was concerned that such a letter may interfere with the quasi-judicial duties of the Board. He stated they may want to speak with Mr. Kimble about it in the afternoon. Mr. King said they could possibly provide a generic letter stating that the county does support wind energy but he felt anything more specific would not be wise.

At 11:00 a.m., Jay Jolly met with the Board to present an update regarding his discussion with State Land Board representatives regarding state land issues, specifically recreational leases. Mr. Jolly felt much better after speaking with John Valentine, adding that since they do have an outfitter’s lease, they will have to bid on the recreational lease. However, the lease cost is determined on the number of animals harvested on the leased land and those bidding against the current lessee will be required to bid on all of it—not just what they want. Mr. King told him if he needed anything from the commissioners to let them know.

Mr. Jolly left and Mr. King called for old business, asking if anything had ever come of the request to purchase county-owned mineral rights at Blue Cliff. Mr. Ensign said he'd never heard anything back after sending the county's counter-offer.

Mr. Ensign said that he and Chris Monks had looked at the issues at the annex building and he will put some figures together regarding the ideas they came up with. John Mohan did say that the ground is dry beneath the building so fixing the sump pump was a huge benefit. If they take out the grass and do some zero-scaping, as well as increase the size of the rain gutters and replace the steps and concrete apron, they should be able to help keep water away from the building. Mr. Ensign said there is a retaining wall between the county property and Johnson's property, and they also talked about doing some above-grade drainage with perforated pipe. They felt that the county road crews could do most of the work, and Mr. Stone offered help from his district if necessary.

The Board approved the remaining expense vouchers for the month of March and then broke for lunch.

COUNTY GENERAL FUND

Correctional Officer I Salary \$2,763.00
Correctional Officer I Salary \$2,763.00
Chief Deputy Salary \$3,598.00
Corporal Salary \$3,250.08
Road Deputy Salary \$3,092.42
Road Deputy Salary \$3,474.22
Road Deputy Salary \$3,527.68
Treasurer Salary \$3,650.00
Correctional Officer I Salary \$2,870.19
Land Use Admin Salary \$2,976.00
Chief Deputy Salary \$3,178.00
Administrator Salary \$4,230.00
Road Deputy Salary \$3,287.11
Clerk I Salary \$2,823.00
Clerk I Salary \$2,763.00
Assessor Salary \$3,650.00
Clerk I Salary \$2,566.00
Deputy I Salary \$2,758.00
Driver Examiner Salary \$3,135.00
Correctional Officer I Salary \$2,823.00
Correctional Officer I Salary \$2,768.96
Metal Detector Salary \$748.00
Attorney Salary \$2,375.00
Commissioner Salary \$3,650.00
Clerk Salary \$3,650.00
Correctional Officer I Salary \$2,786.82
Coroner Salary \$825.00
Correctional Officer I Salary \$2,823.00
Correctional Officer I Salary \$2,786.82

Fairgrounds Manager Salary \$1,600.00
Correctional Officer I Salary \$2,823.00
Maintenance Salary \$2,883.00
Janitor Salary \$767.25
Janitor Salary \$2,418.00
Undersheriff Salary \$3,658.00
Sheriff Salary \$4,091.67
VA Service Officer Salary \$433.33
Part Time Land Use Salary \$910.00
Corporal Salary \$3,015.00
Deputy Clerk Salary \$2,763.00
Corporal Salary \$3,324.21
Commissioner Salary \$3,650.00
4-H Program Assistant Salary \$3,247.00
Weed Coordinator Salary \$3,304.00
Victim Assistant Salary \$3,123.00
Office Manager II Salary \$3,126.00
Commissioner Salary \$3,650.00
Clerk I Salary \$2,466.00
Chief Deputy Salary \$3,026.00
Appraisal Clerk Salary \$2,616.00
Correctional Officer II Salary \$3,520.00
Admin Assist Salary \$3,520.00
Metal Detector Salary \$2,125.00
Captain Salary \$3,478.00
Road Deputy Salary \$3,567.78

30729 AFLAC, Premiums \$1,999.02
30730 Auto Chlor, Supplies \$508.00
30731 Century Link, Phone \$66.58
30732 CHP, Insurance \$69,877.90
30733 Clinton Clark, Mileage \$27.00
30734 Colorado Correctional Industries, Flags \$171.00
30735 CDPHE, Fees \$50.00
30736 CCFS, Food, \$6,702.16
30737 County Sheriffs of Colorado, Conference \$100.00
30738 County Sheriffs of Colorado, Conference \$175.00
30739 Crimestar, IT Services \$600.00
30740 John Dewitt, Reimbursement \$46.32
30741 Eastern Colorado Bank, Fees \$500.00
30742 Eastern Colorado Plainsman, Ads \$55.35
30743 Election Center, Dues \$425.00
30744 Family Support Registry, Garnishment \$54.16
30745 Lisa Federspil, Coroner Assist \$60.00
30746 First National Bank Omaha, Charges \$1,639.78
30747 First National Bank of Hugo, Fees \$49.20
30748 First National Bank Omaha, Charges \$101.99
30749 First National Bank Omaha, Charges \$213.89
30750 First National Bank Omaha, Charges \$294.08
30751 First National Bank Omaha, Charges \$234.84

30752 First National Bank Omaha, Charges \$32.25
30753 First National Bank Omaha, Charges \$109.21
30754 First National Bank Omaha, Charges \$41.45
30755 First National Bank Omaha, Charges \$13.96
30756 Ben Galloway, Autopsies \$3,975.00
30757 Great West Life & Annuity, Deferred Comp \$1,940.00
30758 Groove Ford, Supplies \$57.94
30759 Hart's Auto Supply, Parts \$83.69
30760 John Higgins, Mileage \$13.50
30761 Hotel Colorado, Travel \$356.00
30762 Hugo Volunteer Fire Department, Inmate Service \$955.00
30763 Jefferson County, Coroner Services \$540.00
30764 KCCCHHS, 1st Quarter Contract Payment \$2,270.50
30765 Greg King, Mileage \$102.60
30766 Russell Lengel, Imaging Crew/Night Security \$750.00
30767 Leo's Electrical, Repairs \$170.00
30768 Limon Leader, Ads \$36.90
30769 Lincoln County Treasurer, Merchant Capture \$50.00
30770 LCH, Inmate Medical \$9,846.67
30771 Lincoln County Road and Bridge, Fuel \$70.16
30772 Maggie Linnebur, Check Reissue \$68.00
30773 Kristopher Lukins, Coroner Assist \$20.00
30774 Meier Custom Embroidery, Vinyl Signs \$132.00
30775 Lawrence Monks, Reimbursement \$581.42
30776 Neve's Uniforms, Shirts \$915.29
30777 Osborne's, Supplies \$3.99
30778 LaRay Patton, Mileage \$15.30
30779 PayFlex, Fee \$1,173.33
30780 PayFlex, Fee \$100.00
30781 Peak Vista Community Health Center, Inmate Dental \$432.00
30782 Pitney Bowes, Contract \$422.37
30783 Ports-to-Plains Alliance, Dues \$528.60
30784 Quill, Supplies \$724.48
30785 Quill, Supplies \$241.95
30786 Chip Reid, Mileage \$45.90
30787 Rob's Septic, Services \$350.00
30788 Ed Schifferns, Mileage \$51.30
30789 SEI Private Trust Company, Retirement \$7,376.22
30790 Sirchie Fingerprint Laboratories, Supplies \$56.39
30791 Doug Stone, Mileage \$178.20
30792 Sunny Communications, Supplies \$1,020.00
30793 Taser Training Academy, Training \$435.00
30794 TC's Lighting, Supplies \$618.00
30795 Treasurer of Lincoln County, State Withholding \$5,228.00
30796 Treasurer of Lincoln County, Federal Withholding \$14,728.00
30797 Treasurer of Lincoln County, FICA Withholding \$23,811.12
30798 Treasurer of Lincoln County, 1st Quarter Unemployment \$1,184.44
30799 US Identification Manual, Manual \$82.50
30800 Verizon Wireless, Phone \$87.45
30801 Xerox, Lease \$720.27

30890 Black Hills Energy, Utilities \$1,662.04
30891 Blue Tarp, Supplies \$45.97
30892 Cash-Wa, Supplies \$167.68
30893 Colorado Springs Dodge, Parts \$256.50
30894 DirecTV, Television \$111.98
30895 ESRTA, Phone \$2,138.60
30896 Eastern Colorado Plainsman, Ads \$1,098.49
30897 ESRTA, Phone \$45.10
30898 Frontier Telephone, Equipment \$208.30
30899 Hugo Lumber, Supplies \$604.25
30900 International Code Council, Dues \$135.00
30901 KC Electric, Utilities \$5,302.29
30902 Kubl Group, Services \$2,980.00
30903 Limon Leader, Ads \$38.00
30904 Lincoln County Road & Bridge, Fuel \$2,290.48
30905 Lincoln County Clerk, Reimbursement \$10.98
30906 Nebraska Safety & Fire Equipment, Repairs \$30.00
30907 Quill, Supplies \$485.06
30908 Christine Schinzel, Travel \$171.00
30909 Southland Medical Group, Supplies \$217.54
30910 State of Colorado, April MV Renewals \$208.04
30911 US Imaging, Record Digitation \$10,674.29
30912 US Public Safety Group, Badges \$254.45
30913 Waxie Sanitary, Supplies \$464.16
30914 Witt Boys, Parts \$409.84
30915 Witt Boys, Parts \$265.06
30916 Witt Boys, Parts \$84.04

ROAD & BRIDGE

Road Crew Salary \$2,883.00
Road Foreman Salary \$3,484.00
Road Crew Salary \$3,183.00
Road Crew Salary \$2,883.00
Mechanic Salary \$3,392.00
Road Crew Salary \$2,823.00
Road Crew Salary \$2,943.00
Road Crew Salary \$3,123.00
Road Crew Salary \$2,823.00
Road Crew Salary \$3,123.00
Road Crew Salary \$2,823.00
Road Crew Salary \$2,823.00
Road Crew Salary \$3,003.00
Road Crew Salary \$3,243.00
Road Crew Salary \$2,943.00
Road Crew Salary \$3,003.00
Road Crew Salary \$2,883.00
Road Foreman Salary \$3,424.00
Road Crew Salary \$2,823.00
Road Foreman Salary \$3,824.00

Road Crew Salary \$3,003.00
Road Crew Salary \$2,943.00
Road Crew Salary \$3,003.00
Road Crew Salary \$3,243.00
Shop Secretary Salary \$3,183.00
Road Crew Salary \$2,763.00
Road Crew Salary \$2,763.00

30821 4 Rivers, Parts \$329.26
30822 AFLAC, Premiums \$942.77
30823 Black Hills Energy, Utilities \$766.50
30824 Blue Tarp, Supplies \$1,979.22
30825 CHP, Insurance \$44,804.11
30826 Clinton Clark, Gravel \$275.50
30827 Colorado Barricade, Signs \$140.41
30828 Consolidated Plastics, Supplies \$175.48
30829 Charles Covington, Gravel \$1,611.00
30830 Division of Reclamation Mining & Safety, Permit \$646.00
30831 ESRTA, Phone \$350.53
30832 Family Support Registry, Garnishment \$618.20
30833 Farm Gas, Fuel \$10.00
30834 Flagler Cooperative, Fuel \$9,661.38
30835 Fleet Pride, Parts \$75.00
30836 Great West Life & Annuity, Deferred Comp \$2,780.00
30837 Honnen Equipment, Parts \$577.60
30838 Interstate Battery, Parts \$156.95
30839 Karval Water Users, Water \$70.00
30840 Komatsu Financial, Lease \$40,892.64
30841 Judd Kravig, Gravel \$773.50
30842 Leo's Electrical Services, Repairs \$120.00
30843 McCormick Excavation, Road Oil \$9,996.00
30844 MHC Kenworth, Parts \$463.04
30845 MVEA, Utilities \$694.71
30846 PayFlex, Cafeteria Plan \$15.00
30847 Ricky Porter, Professional Services \$52.00
30848 Ravenkamp Land, Gravel \$1,039.00
30849 Rob's Septic, Services \$700.00
30850 SEI Private Trust Company, Retirement \$4,919.76
30851 Doug Stone, Gravel \$522.00
30852 Sunrise Environmental, Parts \$93.51
30853 Treasurer of Lincoln County, State Withholding \$2,279.00
30854 Treasurer of Lincoln County, Federal Withholding \$6,063.82
30855 Treasurer of Lincoln County, FICA Withholding \$12,453.56
30856 Treasurer of Lincoln County, 1st Quarter Unemployment \$746.39
30857 United States Welding, Equipment Rental \$45.83
30858 Vance Brothers, Parts \$667.10

30885 ESRTA, Phone \$358.70
30886 KC Electric, Utilities \$187.88

CAPITAL PROJECTS

30862 Colorado Springs Dodge, Vehicle \$26,137.00
30863 Framing Caucasian Construction, Repairs \$4,100.00
30864 Vaughn Concrete Products, Repairs \$710.00

30919 Flatland Services, Plumbing \$500.00
30920 LAWS, Equipment Removal \$475.00

E911

30859 Sunny Communications, Repairs \$10,800.00

30917 Century Link, Phone \$256.52

LANDFILL

Operator Salary \$3,003.00
Manager Salary \$3,364.00
Landfill Salary \$327.75

30865 CHP, Insurance \$2,747.87
30866 MVEA, Utilities \$91.30
30867 SEI Private Trust Company, Retirement \$429.78
30868 Treasurer of Lincoln County, State Withholding \$262.00
30869 Treasurer of Lincoln County, Federal Withholding \$774.78
30870 Treasurer of Lincoln County, FICA Withholding \$1,024.30
30871 Treasurer of Lincoln County, 1st Quarter Unemployment \$60.88

30924 CDPHE, 1st Quarter Fees, \$860.50
30925 ESRTA, Phone \$76.98
30926 Osborne's, Supplies \$116.19

LIBRARY

Bookmobile Salary \$608.49
Bookmobile Salary \$1,043.28

30872 ABDO, Books \$1,525.00
30873 Best Books, Books \$802.25
30874 Colorado Library Consortium, Fees \$50.00
30875 Kapco, Supplies \$17.10
30876 Know Buddy Resources, Books \$617.96
30877 Grace Pittner, Books \$84.00
30878 Treasurer of Lincoln County, State Withholding \$4.00
30879 Treasurer of Lincoln County, Federal Withholding \$8.35
30880 Treasurer of Lincoln County, FICA Withholding \$252.72

30881 Treasurer of Lincoln County, 1st Quarter Unemployment \$14.39
30882 Viaero Wireless, Phone \$32.44
30883 Windfall, Books \$292.25
30884 Katie Zipperer, Reimbursement \$326.18

30918 DJ Petroleum, Fuel \$64.37

LODGING & TOURISM

30860 Danielle Dascalos, Marketing \$825.00
30861 Town of Hugo, Pavilion Park \$774.00

30921 Apryl Huelskamp, Web Hosting \$481.37
30922 HIP, Check Reissue \$870.00
30923 LCH, Marketing \$1,667.00

PUBLIC HEALTH AGENCY

Nurse Salary \$3,347.00
Doctor Salary \$75.00
EPR Coordinator/Office Manager Salary \$2,726.00
Nurse Salary \$3,961.38
WIC Educator Salary \$2,581.00
Part-time Tobacco Educator \$442.25

30802 AFLAC, Premiums \$130.00
30803 CALPHO, Dues \$105.00
30804 CDPHE, Certificates \$287.00
30805 Century Link, Phone \$173.13
30806 CHP, Insurance \$3,118.00
30807 CLIA Laboratory, Fees \$150.00
30808 First National Bank Omaha, Charges \$11.21
30809 First National Bank Omaha, Charges \$252.66
30810 Tracy Grimes, Rent \$515.00
30811 Lewan & Associates, Copies \$44.62
30812 Lincoln County Road & Bridge, Fuel \$63.57
30813 Osborne's, Supplies \$73.39
30814 Sanofi Pasteur, Vaccinations \$1,043.03
30815 Henry Schein, Supplies \$160.45
30816 SEI Private Trust Company, Retirement \$400.15
30817 Treasurer of Lincoln County, State Withholding \$437.00
30818 Treasurer of Lincoln County, Federal Withholding \$1,120.90
30819 Treasurer of Lincoln County, FICA Withholding \$1,989.40
30820 Treasurer of Lincoln County, 1st Quarter Unemployment \$117.97

30887 CALPHO, Dues \$200.00
30888 ESRTA, Phone \$249.63
30889 Hugo Postmaster, Stamps \$49.00

HUMAN SERVICES ADMINISTRATIVE FUND

Child Support Admin Salary \$3,117.00
Child Support Admin III Salary \$2,688.00
Council Representative \$328.10
Income Maintenance Tech II Salary \$2,688.00
Caseworker II Salary \$3,326.00
Caseworker III Salary \$3,924.00
Accounting Clerk V Salary \$3,062.00
Caseworker I Salary \$3,361.00
IMT IV Salary \$3,007.00
Assistance Pmts Supervisor V Salary \$3,525.00
Child Welfare Supervisor Salary \$4,348.00
Child Welfare Supervisor Salary \$4,348.00
Interim Director Salary \$5,437.00
Caseworker IV Salary \$4,198.00
CKLECC Coordinator Salary \$1,244.64
CKLECC Council Coordinator Salary \$1,386.82

66804 Early Childhood Council, CKLECC \$150.00
66805 ESRTA, Phone \$873.71
66806 Farm Gas, Fuel \$35.16
66807 Lexis Nexis, Subscription \$50.00
66808 Lincoln County Road & Bridge, Fuel \$196.80
66809 Rural Communities Resource Center, CKLECC \$352.18
66810 Northeast Colorado Child Care Resource, Contract \$9,459.55
66811 Office Max, Supplies \$519.71
66812 Osborne's, Supplies \$15.00
66813 Witt Boys, Parts \$57.79
66814 Haley Smith, Travel \$280.80
66815 Century Link, Telephone \$148.58
66816 CCI, Supplies \$66.40
66817 First National Bank of Omaha, Charges \$90.60
66818 First National Bank of Omaha, Charges \$39.95
66819 First National Bank of Omaha, Charges \$17.48
66820 First National Bank of Omaha, Charges \$18.56
66821 First National Bank of Omaha, Charges \$289.07
66822 First National Bank of Omaha, Charges \$526.59
66823 First National Bank of Omaha, Charges \$128.32
66824 First National Bank of Omaha, Charges \$97.92
66825 First National Bank of Omaha, Charges \$83.05
66826 First National Bank of Omaha, Charges \$56.08
66827 Tracy Grimes, Rent \$385.00
66828 Hoffman Drug, Supplies \$321.14
66829 IEBT, Testing Contract \$55.50
66830 Lakeshore Learning Materials, CKLECC \$572.13
66831 LCH, CPR Class \$77.00
66832 Lincoln County DHS, Reimbursement \$1,251.91
66833 Lincoln County Treasurer, Rent \$1,882.00
66834 Lincoln County Treasurer, Unemployment \$435.86
66835 Office Works, Supplies \$48.92

66836 Office Max, Supplies \$150.36
66837 Rose Padilla, Contract \$233.75
66838 Range Ledger, CKLECC \$117.30
66839 Scranton Specht & Associates, Legal \$4,748.86
66840 Carole Spady, Travel \$285.00
66841 Xerox, Lease \$254.38
66842 Verizon Wireless, Phone \$2,210.25
66843 Viaero Wireless, Phone \$89.92
66844 Candace Chamberlain, Travel \$188.16
66845 Kelly Johnson, Travel \$67.30
66846 Julie Witt, Travel \$134.91
66847 Lincoln County Treasurer, Withholdings \$13,488.08
66848 CHP, Insurance \$21,938.32
66849 SEI Private Trust Company, Retirement \$3,174.49
66850 Great West Life & Annuity, Deferred Comp \$1,275.00
66851 PayFlex, Cafeteria Plan \$300.00
66852 AFLAC, Premiums \$643.11

Maryjo Downey, Executive Director of the East Central Council of Local Governments, arrived at 1:20 p.m. to discuss the Fairgrounds Enterprise Zone project and to present a request for a two-year time extension for the existing CDBG grant contract.

First, Ms. Downey stated that CDBG Contract #14-591 expires on June 30 of this year and they would like to request an extension of the contract for another twenty-four months, through June 30, 2018, with no additional funds. This will be the third amendment. The current balance in the open contract is \$150,000 for loans and \$22,000 for administration. Ms. Downey had drafted a letter to Robert Todd with the Colorado Office of Economic Development and International Trade requesting the amendment if the commissioners agreed.

Mr. Stone made a motion to approve Amendment #3 to Community Development Block Grant Contract #14-591, extending the contract to June 30, 2018. Mr. King seconded the motion, which carried.

Ms. Downey then discussed the Fairgrounds Enterprise Zone, stating that the designation had been made over four years ago and had never received one contribution. If a contribution isn't received by September when it comes up for renewal, Ms. Downey said it will most likely be turned down, as the state feels the designation isn't needed when there is no support. She stated that someone could even donate a saddle or something like that and still get the in-kind benefit of a twelve percent credit, rather than twenty-five percent. It also helps to have a particular project in mind when hoping to obtain funding, as people tend to give more when they have something specific to give to. She added that the designation really is of no use if it is not being marketed.

Mr. King said they've been trying to contact NextEra to request that they put up a building but have had no luck getting them to respond to phone calls or emails. The tax credit would certainly help them if the Enterprise Zone were to stay in place.

There are several entities/organizations in the county with the Enterprise Zone designation and Ms. Downey said she would be happy to meet with the fair board if the commissioners thought it would be beneficial. Fair Board president LaRay Becker-Patton was asked to come over and speak with Ms. Downey.

Ms. Becker-Patton said the Enterprise Zone was established prior to the Ellis Allen being built and then was re-established a couple of years ago when there was talk of putting electrical hook-ups for campers in. She felt that since there have been no contributions, it may be time to let the designation lapse.

Ms. Downey warned that it would be very hard to get back if they did so, and Mr. Ensign asked if a \$250 contribution would grant the county a reprieve. Ms. Downey affirmed that it would.

After Ms. Downey left, the Board conducted the continued hearing on a proposed resolution to amend the zoning resolution providing for standards for regulation of the construction and operation of wind energy facilities. Land Use Administrator John DeWitt was present for the discussion but no other members of the public were in attendance.

Mr. Kimble recapped that agriculture is a permitted use by right in most areas of Lincoln County and that oil and gas is also a use by right. Wind is not a permitted use, so an applicant must go through the Use by Special Review process. Additional standards of Use by Special Review include: standards for animal, industrial, and mining operations; and standards for uses in flood plains and junkyards. With the adoption of the resolution, there will be an additional standard for uses in the construction and operation of wind energy facilities. Mr. Kimble stated that the resolution would also make small wind turbines a permitted use by right.

Mr. DeWitt had made the revisions discussed with Invenergy, LLC, at the previous meeting, and a few minor grammatical and punctuation corrections were also made. Otherwise, the resolution had not changed from that discussed at the previous hearing.

Mr. Stone made a motion to adopt a resolution amending the zoning resolution providing for standards for regulation of the construction and operation of wind energy facilities. Mr. King seconded the motion, which carried.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado, held in Hugo, Colorado, on April 6, 2016, there were present:

Greg King, Chairman	Present
Douglas D. Stone, Vice Chairman	Present
Ed E. Schifferns, Commissioner	Absent and Excused
Stan Kimble, County Attorney	Present
Corinne Lengel, Clerk of the Board	Present
Gary Ensign, County Administrator	Present

When the following proceedings, among others, were had and done, to-wit:

It was moved by Commissioner Stone and seconded by Commissioner King to adopt the following resolution:

RESOLUTION NO. 921

**THE BOARD OF COUNTY COMMISSIONERS
OF LINCOLN COUNTY, COLORADO**

A RESOLUTION TO AMEND THE LINCOLN COUNTY ZONING RESOLUTION BY CREATING ARTICLE 3, USE BY SPECIAL REVIEW PROCEDURES, DIVISION 2, APPROVAL STANDARDS AND CRITERIA FOR USES BY SPECIAL REVIEW, SECTION 3-220, ADDITIONAL STANDARDS, F. STANDARDS FOR REGULATION OF THE CONSTRUCTION AND OPERATION OF WIND ENERGY FACILITIES, AND ADDING “WIND ENERGY FACILITY, SMALL” TO PERMITTED USES UNDER ARTICLE 2, SECTION 2-200.B.

Whereas, Lincoln County has experienced and continues to experience substantial growth of the wind energy industry in the unincorporated portions of the County; and

Whereas, the Board of County Commissioners, hereinafter referred to as the “Board”, has determined that the regulations for wind energy construction and operation, including the construction of service roads, and the construction and operation of wind turbines and accessory facilities, should be more clear and specific;

IT IS, THEREFORE, RESOLVED:

1. Upon adoption of this Resolution, Article 2, Division 2, Section 2-200.B. shall be amended to add as a permitted use, Wind Energy Facility, Small, as defined in Article 3, Section 3-220.F.

2. Further, upon adoption of this Resolution, a new section shall be added under Article 3, Use by Special Review Procedures, Division 2, Approval Standards and Criteria for uses by Special Review, Section 3-220, Additional Standards, F, Standards for Regulation of the Construction and Operation of Wind Energy Facilities, as follows:

F. Standards for regulation of the Construction and Operation of Wind Energy Facilities. The purpose of this section is to provide for the regulation of the construction and operation of Wind Energy Facilities in Lincoln County, subject to reasonable conditions that will protect the environment, and the public health, safety, and welfare of Lincoln County residents.

1. Definitions Applicable to Wind Energy Facilities.

- A. "Facility Operator" is the entity responsible for the day-to-day operation and maintenance of the Wind Energy Facility.
- B. "Facility Owner" is the entity or entities having controlling or majority equity interest in the Wind Energy Facility, including their respective successors and assigns.
- C. "Non-Participating Landowner" is any landowner not under agreement with the Facility Owner or Operator.
- D. "Non-Occupied structure" is any manmade structure that is not used as a gathering place or residence. This would include such items as barns, storage buildings, shops, garages, corrals, and other similar accessory structures.
- E. "Occupied Building" is a residence, school, hospital, church, public library, or other building used for public gathering that is occupied or in use when the permit application is submitted.
- F. "Participating Landowner" is a landowner under lease or other property agreements with the Facility Owner or Operator pertaining to the Wind Energy Facility.
- G. "Public Road" is a full passage right-of-way.
- H. "Wind Energy Facility" is an electric generating facility, whose main purpose is to supply electricity; consisting of one or more Wind Turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines, and other appurtenant structures & facilities. For the purpose of this ordinance, the term does not apply to roof-mounted or building-integrated roof mounting systems.
- I. "Wind Energy Facility, Small" is a single system designed to supplement other electricity sources as an accessory use to existing buildings or facilities, wherein the power generated is used primarily for on-site consumption. A small wind energy conversion system consists of a single wind turbine, a tower, and associated control or conversion electronics, which has a total rated capacity of 20 kW or less.
- J. "Wind Energy Facility, Medium" is a wind energy conversion system consisting of one or more wind turbine(s), a tower(s), and associated control or conversion electronics, which has a total rated capacity of more than 20 kW but not greater than 100 kW.

- K. "Wind Energy Facility, Large" is a wind energy conversion system consisting of one or more wind turbine(s), a tower(s), and associated control or conversion electronics, which has a total rated capacity of more than 100 kW.
- L. "Wind Power" is the conversion of wind energy into another form of energy.
- M. "Wind Turbine" or windmill is a wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and may include a nacelle, rotor, tower, guy wires, and pad transformer.
- N. "Wind Turbine Height" is the distance measured from grade at the center of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation.

2. Permit Requirement

- A. No medium or large Wind Energy Facility, or addition of a Wind Turbine to an existing Wind Energy Facility, shall be constructed unless a permit has been issued to the Facility Owner or Operator approving construction of the facility under this Ordinance. Permit application of the expansion shall be based on the total rated capacity, including existing facility but excluding like-kind replacements.
- B. Any physical modification to an existing and permitted Wind Energy Facility that materially alters the size and/or type of Wind Turbines or other equipment shall require a permit modification under this Ordinance. Like-kind replacements shall not require a permit modification.

3. Permitted Use

- A. All small wind energy facilities shall be considered a permitted use. No building permit shall be required.
- B. All medium and large wind energy facilities shall be required to obtain a development permit (use by special review, Sections 3-100 through 3-210 herein) before any development of such facilities can take place.

4. Additional Requirements. The following additional requirements shall apply to all medium and large wind energy facilities and shall be submitted with Use by Special review application.

- A. The proposed total rated capacity of the Wind Energy Facility.
- B. The proposed number, representative types and height or range of heights of wind turbines to be constructed; including their generating capacity,

dimensions and respective manufacturers, and a description of ancillary facilities.

- C. Legal Description of the properties on which the proposed Wind Energy Facility will be located.
- D. Preliminary location of each turbine, which details the latitude and longitude in decimal degrees.
- E. A site map showing the preliminary planned location of all wind turbines, property lines, setback lines, access roads and turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), and transmission and distribution lines. The site plan must also include the location of all structures and properties, demonstrating compliance of the setbacks. The map size shall be no less than 24" x 36" for medium wind energy facilities and 36" x 48" for large wind energy facilities.
- F. Decommissioning plans that describe the anticipated life of the wind power project, the estimated decommissioning costs in current dollars, the method for ensuring that funds will be available for decommissioning and restoration, and the anticipated manner in which the wind power project will be decommissioned and the site restored.
- G. Documentation of agreement between Participating Landowner(s) and the Facility Owner/Operator of the Wind Energy Facility. Financial aspects of this agreement should not be submitted.
- H. A list of all landowners, adjacent landowners, and mineral rights owners in the affected area of the project shall be submitted. Proof of notification in the form of certified mail receipts shall be submitted before approval of the Use by Special Review permit can be granted. These notices must be postmarked no less than thirty (30) days prior to the Land Use Board Public Hearing date that is designated for review of the proposed wind energy project.
- I. Other relevant information as may be reasonably requested by Lincoln County to ensure compliance with the requirements of this Ordinance.

5. Notice of Change.

- A. Throughout the permit process, the Applicant shall promptly notify the Lincoln County Land Use Office of any proposed changes to the information contained in the permit application that would alter the impact of the project.
- B. Changes that materially alter the initial site plan will be subject to an additional Use By Special Review application and process.

- C. Changes to the approved application that do not materially alter the initial site plan may be adopted by the Land Use Administrator.

6. Setbacks

- A. Setbacks for small wind energy facilities shall follow the manufacturer's installation recommendations with regard to the landowner. Setbacks from adjacent properties shall be no less than 150% of the turbine height unless an agreement between the turbine owner and the adjacent landowner has been reached.

- B. Setbacks for medium and large wind energy facilities shall be no less than 1,000 feet from any residence, and no less than 500 feet from non-occupied structures. The setback for Public Roads and the property line of non-participating landowners shall also be 500 ft. These measurements are determined from the center of the wind turbine base to the property line, Public Road, or nearest point on the foundation of an Occupied Building or structure. This provision does not apply to internal division fences of the participating landowner.

- C. Setbacks provisions may be waived if the following conditions are met:

- i. Property owners may waive the setback requirements for Property Lines and/or Occupied Buildings on the Participating Landowner property and/or Non-Participating Landowner property by signing a waiver that sets forth the applicable setback provision(s) and the proposed changes.

- ii. The written waiver shall notify applicable property owner(s) of the setback required by this Ordinance, describe how the Wind Energy Facility is not in compliance, and state that consent is granted for the Wind Energy Facility to waive the setback as required by this Ordinance.

- iii. Any such waiver shall be signed by the applicant, the Participating Landowner(s) and/or Non-Participating Landowner(s), and recorded in the Lincoln County Clerk and Recorder's Office.

- iv. If the minimum setback of 1,000 feet is waived, a minimum setback distance of 500 feet shall apply.

7. Noise. The following noise regulations shall apply to all wind energy facilities

- A. Noise levels when measured at the property line of any adjacent landowner shall not exceed 60 decibels from 7:00 a.m. to 7:00 p.m.

- B. Noise levels when measured at the property line of any adjacent landowner shall not exceed 50 decibels from 7:00 p.m. to 7:00 a.m.
- C. These requirements do not apply if the minimum setback requirements have been waived as set forth in 8.C of this ordinance.
- D. Lincoln County recommends that an internal noise study be conducted but does not require a third party noise study for the Development Permit application.

8. Road Use Agreement.

- A. Before construction begins, the wind energy developer must enter into a Road Use Agreement with Lincoln County. This agreement will be a collaborative document drafted by the Wind Developer, the Commissioner(s) of the district(s) in which the wind development will take place, and the Road and Bridge Supervisor(s) of the District(s). This document may include, but is not limited to:
 - i. Designated truck routes.
 - ii. Dust abatement.
 - iii. Reclamations requirements.
 - iv. Bonding requirements.
- B. If a bond is required for a Wind Energy project, the bond will be released when reclamation of the roads has been achieved to the satisfaction of the Road and Bridge Supervisor.

9. Building Permit Required

A building permit will be required for medium and large Wind Energy Facilities. The Building Permit Application will be submitted to the Land Use Administrator following the approval of the Use by Special Review Permit by the Lincoln County Board of Commissioners. The applicant shall use the standard Lincoln County building permit for submission and use the following format:

- A. One permit shall be submitted for each landowner on whose property one or more turbines will be constructed. The permit will designate:
 - i. The landowner's name and address.
 - ii. The number of turbines on that specific landowner.
 - iii. The legal description of each turbine in the format:
QTR Section, QTR Section, Section, Township, and Range.
 - iv. The turbine identification or name as designated by the wind

developer.

10. Building Permit Fee (Sales and / or Use Tax)

A building permit fee (Use Tax) will be assessed and will be due at the time of submission. The fee will be based on 2% of the material cost of the turbines. This fee may be negotiated by the Applicant with the Lincoln County Board of Commissioners prior to submitting the building permit application.

11. Mineral Owner Objections

Should a mineral interest owner have an objection to the proposed Wind Energy Facility, the Wind Developer shall, to the extent required by applicable Colorado law, reasonably accommodate access to and development of subsurface mineral interests with respect to their proposed use of the property for wind farm facilities. In this regard, the applicant shall, as a condition of approval prior to the final sitting of any wind farm facilities and installation or construction of any such facilities, provide evidence that it has entered into, or made good faith and commercially reasonable efforts to enter into, surface use agreements or other compatible development agreements with surface owners and any mineral estate owners which have filed timely objections to the land use applications pursuant to Colorado statutes.

These objections shall be filed with the Land Use Administrator before the Land Use Board public meeting held in review of the proposed Wind Energy Facility. No objections will be accepted by the Land Use Administrator after this date. The Wind Energy Developer may accept objections filed after the hearing date at their discretion.

12. Board of County Commissioners Approval to Grant Building Permit.

If mineral owner objections are filed with the Land Use Administrator, The Board of County Commissioner may elect to suspend issuance of building permits for the Wind Energy Facility until the Board is assured compliance with item 13. A written affidavit from the Wind Energy Developer attesting compliance will be required.

Should a dispute arise between the mineral owner and the Wind Developer as to whether the Developer had complied with item 13, the issue will be taken before the Lincoln County Board of Commissioners, acting in a quasi-judicial capacity to resolve the dispute.

13. Property Damage

The Wind Developer will bear sole responsibility for any damages done to federal, state, county, municipal, and private property during the pre-construction, construction, operations, and decommission phases of the Wind Energy Facility.

14. Decommissioning

- A. The Wind Energy Facility Owner shall have 12 months to complete decommissioning of the Facility once electricity production has ceased. Time extensions may be granted if needed by the Land Use Administrator
- B. Decommissioning shall include removal of wind turbines, buildings, cabling, electrical components, roads, and any other associated facilities down to Thirty-Six (36) inches below grade.
- C. Disturbed earth shall be graded and re-seeded unless the landowner requests in writing that the access roads or other land surface areas not be restored.

15. Effective Period

This Resolution, upon final passage as dictated by C.R.S. 30-28-116, shall take effect upon the final approval by the Board.

ADOPTED and APPROVED this Sixth day of April, 2016, Lincoln County, Colorado.

THE BOARD OF COUNTY COMMISSIONERS,
LINCOLN COUNTY, COLORADO.

_____ ATTEST: _____
Clerk of the Board

Mr. King thanked Mr. DeWitt for the time and hard work he had put in on the regulations. Mr. Kimble asked what would be next and it was agreed to begin working on the subdivision regulations.

With no further business to come before the Board, the meeting was adjourned until 9:00 a.m. on April 18, 2016.

Corinne M. Lengel, Clerk to the Board

Greg King, Chairman