

Board of County Commissioners of Lincoln County
Agenda for July 18, 2016

9:00 Call to order and Pledge of Allegiance

9:00 Sue Kelly, Public Health Director, to present the agency's June, 2016, report

9:30 John DeWitt, Land Use Administrator/Office of Emergency Management Director, to discuss his impending resignation

10:00 George Tinker, County Technical Services, Incorporated, Loss Prevention, to present an annual report of Lincoln County's workers' compensation pool status and casualty and property pool status

1. Approve the minutes from the July 6, 2016, meeting
2. Update on sealed bid submitted for purchase of a combination truck and lift
3. Review the June, 2016, Statement of Revenues and Expenditures for County General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, Road and Bridge and Individual Road Districts
4. Review the June, 2016, reports from the County Assessor and the County Clerk & Recorder
5. Review the June, 2016, reports from the Colorado Counties Casualty and Property Pool and the County Workers' Compensation Pool
6. Review a Memorandum from the Colorado Department of Local Affairs , Division of Property Taxation, regarding 2016 state assessed Notice of Valuation consisting of a listing of state assessed companies in Lincoln County
7. Review and act upon the 2nd. quarter, 2016, Discharge Monitoring Reports for the county landfill
8. Per county auditor, review and act upon a request for an extension of time to file the 2015 annual county audit
9. Review and act upon a proposal to engage American Environmental Consulting, L.L.C., to prepare financial assurance cost estimates, plans for a surface water control system and an updated engineering design and operations plan for the county landfill
10. County Commissioner reports
11. County Administrator's report
12. County Attorney's report
13. Old business
14. New business

The Board of Lincoln County Commissioners met at 9:00 a.m. on July 18, 2016. The following attended: Chairman Greg King, Commissioners Doug Stone and Ed Schiffers, County Administrator Gary Ensign, County Attorney Stan Kimble, and Clerk to the Board Corinne M. Lengel.

Chairman King called the meeting to order and led the Pledge of Allegiance.

Public Health Director Sue Kelly met with the Board at 9:00 a.m. to give her report for the month of June, outlining general activities such as communicable disease, environmental health, WIC (including the new "eWIC" procedures), STEPP, and EPR.

Mr. King mentioned a report of bedbugs in the townhomes in Limon but Ms. Kelly said they had received no such report. She clarified that bedbugs are actually not a health hazard but a nuisance; therefore, no inspection is required if they do receive a report.

Ms. Kelly asked for approval of the EPR Crisis and Emergency Risk Communications Plan, stating that part of their deliverables for the current year was the requirement to update the plan, which is basically augmenting the Lincoln County Public Health Emergency Operations Plan.

Mr. Stone made a motion to approve the EPR Crisis and Emergency Risk Communications Plan. Mr. Schiffers seconded the motion, which carried unanimously.

Ms. Kelly also asked for authorization to spend approximately \$8,000 for Ebola personal protective equipment per the Ebola contract. She provided a quote from ProPac in Charleston, South Carolina, in the amount of \$8,001.78. Ms. Kelly reminded the Board that the majority of the contract funds were to go toward PPE for the hospital, ambulances and clinics, and she finally got a response as to what equipment would be most beneficial to them. The amount is 100% reimbursable.

Mr. Stone made a motion to approve the quote from ProPac in the amount of \$8,001.78 for personal protective equipment reimbursed through the Ebola contract. Mr. Schiffers seconded the motion, which carried unanimously.

Lastly, Ms. Kelly said that WIC supplemental funding requires that Public Health purchase two desktop computers for the WIC program, which are not to exceed \$1,500 each, by October 1. The computers will be fully paid for through the WIC contract.

Mr. Stone made a motion to allow Public Health to purchase two desktop computers to be paid for with WIC funds, not to exceed \$1,500 each. Mr. Schiffers seconded the motion, which carried unanimously.

At 9:30 a.m., Land Use Administrator/OEM John DeWitt met with the Board to discuss his resignation due to health reasons. Mr. DeWitt's letter highly suggested the two positions be separated, and he explained that each job could really be considered as full time positions,

depending on what the commissioners want to do with emergency preparedness in the county. He added that the land use job should definitely be considered full time, particularly in light of recent development in the county, and especially if gravel pits continue to be a part of the job as they are a tremendous responsibility. He felt that the land use job could possibly be a thirty-five hour per week position, rather than forty hours per week, but that it should include benefits. As for OEM, Mr. DeWitt said that there are counties that have full time emergency managers and they basically do the same things that he does. He went on to say that no one in the county really understands what OEM really could be if used to its full potential. Mr. DeWitt added that if the county is approved for the Emergency Management Preparedness Grant (EMPG), the emergency manager's salary, benefits, and mileage would be reimbursed up to fifty percent. If the county were to fully fund OEM as a department, the entire department would be fifty percent reimbursable.

Mr. Ensign asked which portion of his job, Land Use or OEM, handles address assignments, as he believes that to be a critical part of his position and must be kept up. Mr. DeWitt said that it falls under the land use portion. He also informed the group that his part time helper has taken the required ICS and NIMS courses for emergency management, although she does not have the proper training to be able to take it over. Half of her wages can be reimbursed as well, as long as she logs her hours as time spent working on emergence management.

Mr. King asked if there are people qualified to do both jobs as Mr. DeWitt does and Mr. DeWitt responded that he felt a background in law enforcement, EMS, or fire would be most beneficial to the OEM position. He added that it was very rare to find someone who had experience in both categories as he did when he was hired.

When Mr. Schiffers asked if he would stay long enough to help with the applicants, Mr. DeWitt said he would hope to be involved in the interview process.

Mr. Kimble asked how many hours per week should be devoted to OEM, if done correctly, and Mr. DeWitt said that again, it depends on how much the county wants to put into it, but that it could conceivably be done in twenty-four to thirty hours. Mr. Ensign said he had figured it to be roughly a \$60,000 per year position (combined as it is now), which includes benefits.

Mr. Schiffers asked if there was any way that Mr. DeWitt would reconsider if they could somehow get him more time off. Mr. DeWitt said he does not want to leave but he simply has exhausted all avenues and cannot stay in the area any longer because of his health.

Mr. King asked if the OEM position could be shared with the sheriff's department and Mr. DeWitt said that many counties do that, or share it with Public Health. He felt that the more critical of the two positions right now is land use so the Board agreed to advertise for the Land Use Administrator position now and then discuss the other option with the sheriff or the public health director.

CTSI Senior Loss Prevention Specialist George Tinker had arrived for his 10:00 a.m. appointment with the Board, so the commissioners asked Mr. DeWitt to come back later since Mr. Tinker had other engagements in the afternoon. Once Mr. DeWitt left, Mr. Tinker began with information regarding the Inmate Catastrophic Medical Program through CTSI. Mr. Ensign told him the county has contacted CTSI and is simply awaiting a quote at this time.

There have been only thirty-three CAPP claims and twenty-six CWCP claims over the past five years, which is an excellent record. Mr. Tinker explained the CAPP and CWCP loss ratio reports, stating that the major trends in claims seem to be for Road & Bridge and the landfill. Overall, the county is doing well with the percentages. The majority of CAPP claims, which are figured on damages to vehicles and buildings, as well as third party property or personal damage, are on vehicles. Mr. Tinker said that defensive driving classes are offered and suggested that the commissioners may want to send a letter to all employees cautioning against vehicle claims, as it sometimes helps. If they want to focus on anything, he added, they should ask if employees are following safe work practices or determine if safe work practices are being enforced. If the county offers training and requires that safety rules be followed, an employee's benefits can be reduced if the county can prove the employee was negligent. However, if the practice is generally allowed, the county will not be able to do anything.

The Board had no questions for Mr. Tinker and thanked him for his information.

Mr. Stone made a motion to approve the minutes from the meeting held on July 6, 2016, as submitted. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Ensign gave an update on the sealed bid submitted for the purchase of a combination truck and lift from Eastern Slope Rural Telephone Association, stating that the county's bid of \$5,035.95 was overbid by almost \$2,000. He added that there were fifteen bidders and that the county may want to continue searching for such a truck in light of what Mr. Tinker had said about safety.

The Board reviewed the June 2016 Statements of Revenues and Expenditures for the County General, Public Health, Capital Projects, Conservation Trust, E911, Landfill, Library, Lodging/Tourism, and Road & Bridge funds, as well as for the individual road districts. Also reviewed were the June 2016 reports from the county assessor and county clerk.

Land Use Administrator John DeWitt returned to discuss the contract for the OEM grant funds for 2017; specifically July 1, 2016, through June 30, 2017. Mr. Stone made a motion to approve the EMPG request in the amount of \$10,000 for the specified period. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Kimble stated that he would like to give an update on the Nighthawk situation before Mr. DeWitt left. He had received a similar agreement from Weld County and informed the group that they called theirs a Revocable Non-Exclusive Rights Agreement. He asked if the Board had considered requesting some form of compensation from Nighthawk for the use of the county's

rights-of-way, as Weld County does so, which they call an annual licensing fee. It is no longer required after ten years. Mr. Kimble felt that a provision reserving the right to revoke the company's use of the right-of-way be included in the agreement, should the county find a compelling public reason for it. He added that he would also include a good indemnification clause and that a bond might still be a good idea. He will put something together and present it to the Board.

Mr. Kimble had nothing else to report but stated he had heard nothing further from Invenergy or Xcel.

The Board reviewed a Memorandum from the Colorado Department of Local Affairs Division of Property Taxation regarding 2016 state assessed Notice of Valuation, consisting of a listing of state assessed companies in Lincoln County. Also reviewed were the 2nd Quarter 2016 Discharge Monitoring reports for the county landfill.

Mr. Schifferns made a motion to approve the 2nd quarter discharge reports, Mr. Stone seconded the motion and it carried unanimously.

County Auditor Ronny Farmer had asked for an extension to file the 2015 county audit as he cannot meet the July 31 delivery date. Mr. King asked if there were problems and Mr. Ensign said he was unaware of any; however, Mr. Farmer was still waiting for a report from the county's retirement company. Mr. Stone made a motion to grant County Auditor Ronny Farmer an extension to file the 2015 county audit. Mr. Schifferns seconded the motion, which carried unanimously.

The Board reviewed a proposal to engage American Environmental Consulting, LLC, to prepare financial assurance cost estimates, plans for a surface water control system, and an updated engineering design and operations plan for the county landfill. Mr. Ensign said that the health department had done a surprise inspection of the landfill and had found several areas of deficiency. He added that the financial assurance cost estimates and the plans for a surface water control system should be completed by an engineer, adding that it hasn't been done for at least five years. The engineering design and operations plan are also very outdated. Mr. Ensign went on to say that AEC has done work in numerous Colorado counties, and that Cheyenne County Administrator Marcy Brossman told him they have done an excellent job.

The Board asked for a cost estimate and Mr. Ensign said the initial cost for the financial assurance was around \$3,500, but he would expect that overall they should plan on \$15,000 to \$20,000. He stated he can ask the company to prepare a more complete cost analysis but that will take more time and they really need to begin the process in order to satisfy the health department.

Mr. Stone made a motion to engage American Environmental Consulting, LLC, to prepare financial assurance cost estimates, plans for a surface water control system, and an updated

engineering design and operations plan for the county landfill. Mr. Schifferns seconded the motion, which carried unanimously.

Mr. Stone reported checking roads on July 7 as the district had received anywhere from a tenth of an inch to one and a half inches of rain. On July 8, he was asked by Vernon Stone if the road crew could put a load of gravel on a portion of County Road 26. A resident stopped by his house on July 9 to request that his driveway be graded, and he spent the morning of July 11 at the Karval shop. He attended the fair board meeting on July 12 and reported on activities at the fair, as well as the fact that Amy Vice is now the queen coordinator. He added that the fair board liked the idea of the extension office being moved to the fairgrounds and felt that the building could possibly be used for other things. Mr. Schifferns put in that they had asked the fair board for some suggestions regarding the building, and they also discussed the handicap parking and how it could be better utilized. Mr. Ensign added that GMS will put together a proposal for the building but they want to meet with John Palmer, Travis Taylor, and the commissioners about it. Mr. Stone went on to report that he was in Hugo on July 13 so stopped to check on the progress of the lift station at the fairgrounds. His district also hauled gravel for Vernon Stone on that same day. On July 14, they bladed the driveway as requested, and he checked roads on July 15. On the Sixteenth, he received a report of someone hitting a cow late at night on Highway 71, so he went out to check on it. On July 17, Mr. Stone reported a fire on Highway 94 west of Highway 71.

Mr. Schifferns reported that District One worked on roads damaged by rains south of Arriba on July 7. He attended the fair board meeting on July 12 and the Centennial Mental Health meeting in Elizabeth on July 14, where they approved the budget. He reported that he will be meeting with John Palmer and Carl Dutro regarding the PA system at the fairgrounds, and that he stopped at the fairgrounds earlier this morning to check on how much rain they had gotten. He said there was a little leakage around the bottom of the Ellis Allen building.

Mr. King reported attending the Baby Bear Hugs meeting on July 7 and stated that Gretchen Blackwelder will be moving. He also stopped at the county shop in Genoa to sign off on the performance evaluations for the road crew. On July 11, he received a call about Canadian thistle on County Road 48 north of County Road 3P and contacted Weed Coordinator Wayne Shade about it. He was also informed about some bindweed off of County Road 38 between County Roads 3J and 3K. Lastly, he stated he will sign the contract for the John Deere grader later this afternoon.

Mr. Ensign reported that the work at the fairgrounds lift station is right on schedule and they hope to have it up and running by the end of the month. They do need a certified operator and since neither John Palmer nor John Mohan will have their certification by the time the lift station is operational, he asked Wayne Nestor if he would fill in until someone else can obtain their certification. Mr. Nestor agreed.

Mr. Stone commented that he was told there may be a problem with the area where they want to tie into the town system. It shouldn't affect the county's system in any way but there is a flat area where the water doesn't flow clean, which is creating sludge in the bottom of the pipe.

Mr. King called for old business and Mr. Schiffers asked if the lost or misplaced Human Services records were ever found. Mr. Ensign said that at last word Patricia Phillips was still looking into it, but he had been told that some of the financial records thought to be missing had been recovered.

There was no new business to discuss and the meeting was adjourned until 9:00 a.m. on July 28, 2016.

Corinne M. Lengel, Clerk to the Board

Greg King, Chairman